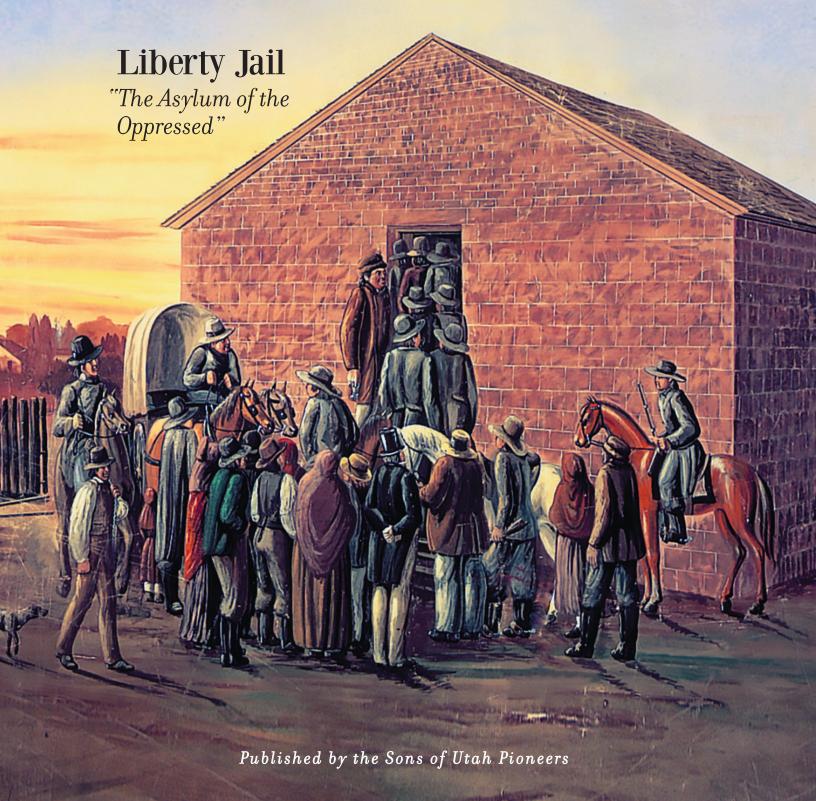
# PIONER



# PIONEER

#### **FEATURES**

- **2** Liberty Jail: "The Asylum of the Oppressed" by Susan Easton Black
- 4 Lyman O. Littlefield
- **6** Prescindia Lathrop Huntington
- 9 Lyman Wight
- **11** Mercy Fielding Thompson
- **16** The Illegal Path to Liberty Jail: Abusing Missouri Law by Jeffrey N. Walker and Gordon A. Madsen
- **26** The Saints' Forced Exodus from Missouri, 1839 by William G. Hartley
- **36** The Mormon Tabernacle Choir Pays Tribute to Quincy
- 37 The Release of Joseph Smith and the Liberty Jail Prisoners from Missouri, April 1839

by Alexander L. Baugh

44 The Tutelage of a Humble Prophet of God
by Keith Lawrence

**46** The Return of the Prophet to His People

by William G. Hartley

#### DEPARTMENTS

- 1 President's Message by Thomas G. Alexander
- **14** Journal Entry

  Alexander McRae
- **22** Monuments and Markers: Liberty Jail, Clay County, Missouri
- **24** Pioneer Vignette:
  "Caleb Baldwin, Faithful
  Saint" by Justin R. Bray
- **48** Message from the Daughters of Utah Pioneers, Maurine P. Smith. President

#### INSIDE BACK COVER

Times and Seasons January 15, 1841

#### BACK COVER

Doctrine and Covenants 121: 1–3, 6–8, 10; 122: 7–8

## COVER

Liberty Jail by C. C. A. Christensen



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MISSION STATEMENT: The Mission of the National Society of the Sons of Utah Pioneers is to come to know our fathers and turn our hearts to them; we preserve the memory and heritage of the early pioneers of the Utah Territory and the western U.S.; we honor present-day pioneers worldwide who exemplify the pioneer qualities of character; and teach these same qualities to the youth who will be tomorrow's pioneers.

## THE PIONEER VALUES:

We honor the pioneers for their faith in God, devotion to family, loyalty to church and country, hard work and service to others, courage in adversity, personal integrity, and unyielding determination.

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#### BY THOMAS G. ALEXANDER



essays in this magazine consider the incarceration of leaders and members of the Church

following the Mormon War in Missouri. Some writers have blamed the Mormons themselves for the violence they experienced in Missouri. It is clear that the Saints did things that we might condemn today, especially the raids of Gallatin and other Missouri towns. Nevertheless, we should understand that the Saints had become rightly outraged at the treatment they received at the hands of those who should have treated them as fellow Americans exercising their constitutional right to free exercise of religion.

The incarcerations of Mormons in Liberty, Richmond, and other Missouri towns kindled anger and despair in many Saints. The letters that the Prophet Joseph Smith wrote from Liberty Jail confirm that he and his fellows found conditions in that prison were absolutely intolerable. By contrast, the letter excerpted as Doctrine and Covenants 121, 122, and 123 reveals the Lord's gentle guidance to Joseph as well as the Prophet's ability to rise above the filth and pain to fathom a more profound understanding of the Saints trials and of God's standards for priesthood leadership.

The Lord's inspiration to Joseph in Section 121, verses 39 to 42, reveals the essence of such leadership. It says: "We have learned by sad experience that it is the nature and disposition of almost all men, as soon as they get a little authority . . . they will immediately begin to exercise unrighteous dominion. Hence many are called, but few are chosen. No power or influence can or ought to be maintained by virtue of the priesthood, only by persuasion, by long suffering, by gentleness and meekness, and by love unfeigned."

Continuing to verse 43 we may not perceive that to reprove is "to correct" and that sharpness signifies "intellectual acuity" or "perspicuity"—and we may thus twist the verse's meaning to configure angry chastisement, humiliation or unkindness as acts of love. We are invited to engage in careful soul-searching, to put aside all sinister feelings, including pride, jealousy, or revenge.

On most occasions, true love for our fellow human beings requires us to speak softly while recognizing the essential goodness of others with whom we work. Christ taught us (Luke 6:37), "Judge not, and ye shall not be judged: condemn not, and ye shall not be condemned: forgive, and ye shall be forgiven." The writer of Proverbs (15:1) told us, "A soft answer turneth away wrath: but grievous words stir up anger."

It is a testament both to Joseph's faith and to the comfort with which the Lord enveloped him and his colleagues that he would receive and understand and

immediately practice the revelation referenced above. While the name of the Liberty Jails is itself an oxymoron of the first order, the Lord wondrously used that deplorable physical space to liberate Joseph and the Saints from anger and revenge, empowering them through an expanded knowledge of New Testament doctrines to forgive and love and humbly serve all.

May the Lord help us, while living in infinitely more comfortable circumstance, to understand the message of this revelation and to imprint it on our souls.

## LINDA HUNTER ADAMS

After more than 10 years as a member of the editorial advisory board of the Pioneer magazine, Linda Hunter Adams has announced her retirement. Linda has a BA and MA from Brigham Young University and taught editing, publishing and writing at BYU for 29 years. She has served as an editor on the Joseph Smith Papers project since 2006.

Linda is a daughter of Milton R. Hunter who served for 30 years as a member of the First Council of the Seventy of the LDS Church.

Her attention to detail and insistence on standards of excellence has contributed much to the continuous improvement of the Pioneer magazine. Linda contributed with her editing skills as well as finding and developing content. We extend to Linda our appreciation for her long years of service, and our best wishes in all she continues to do.

# Liberty Jail

# "The Asylum of the Oppressed"

## BY SUSAN EASTON BLACK,

Emeritus Professor of Church History and Doctrine Brigham Young University



rom November 12 through 29, 1838, **↓** Judge Austin A. King listened as alleged evidence was presented against Mormon prisoners in a "court of inquiry" held at Richmond, Missouri. At the end of what Hyrum Smith referred to as the "pretended court,"1 Judge King found probable cause of treason against Joseph Smith, Hyrum Smith, Sidney Rigdon, Caleb Baldwin, Alexander McRae, and Lyman Wight for acts committed in Daviess and Caldwell counties during hostilities of the so-called "Mormon War" in August through October, 1838. As members of the Church's First Presidency or as leaders of the Caldwell County militia, the six men were presumed responsible for fellow Mormons' having robbed and burned a number of homes and structures during the Missouri conflict. The judge ordered the men so charged to be transported to and confined in Liberty Jail in Liberty, Missouri, before being referred over to a grand jury for trial.2

On November 29, Judge King wrote to the "Keeper of the Jail of Clay County," Samuel Hadley, jailer, directing him to receive the Mormon prisoners "into your custody . . . there to remain until they be delivered therefrom by due course of law."3 Sidney Rigdon would be incarcerated for 67 days and the other five men for 127 days. Of their imprisonment, Joseph

passionately declared, "Prisoners of hope, but not as Sons of Liberty. O Columbia! Columbia! How art thou fallen. The land of the free, the home of the brave. The asylum of the oppressed, oppressing thy noblest sons in a loathsome dungeon without any provocation."4

That same November morning that Judge King penned his instructions to the jailers, a "large wagon drove up to the door" of Richmond Jail, and, as Hyrum Smith recalled, "a blacksmith came into the house with some chains and handcuffs," asserting that "his orders were from the judge [King] to handcuff us, and chain us together." That accomplished, the men were ordered into a wagon. Of the ensuing journey to Clay County, Hyrum wrote, "We were exhibited to the inhabitants, and this course was adopted all the way, thus making a public exhibition of us, until we arrived at Liberty."5

Lyman O. Littlefield, at the time a nineteen-year-old employee in the printing office of the Missouri Enquirer,6 picked up the



narrative where Hyrum left off: "They, of course, traveled upon the main road leading from Richmond, and entered the town of Liberty on the east. They were all in one large, heavy wagon with a high box, which, as they were seated, hid from view all their forms, except from a little below the shoulders."7 Littlefield reported that after the wagon passed the town square, he overheard a man express "disappointment that the strangers should so much resemble all other men of pre-possessing appearance."8

When the wagon stopped in front of Liberty Jail, the prisoners were ordered to step out and enter the two-story limestone structure. The structure, shaped like a stone box with a gabled roof, measured "twenty-two and one-half feet long, twenty-two feet wide and twelve feet high to the square."10 In the upper story on the north- and south-facing walls were barred windows approximately two feet in length and about a foot in height. Barred windows on the lower story were similar in length but only about six inches in height.

The prisoners moved quickly from the wagon up the south steps to the small porch and then to

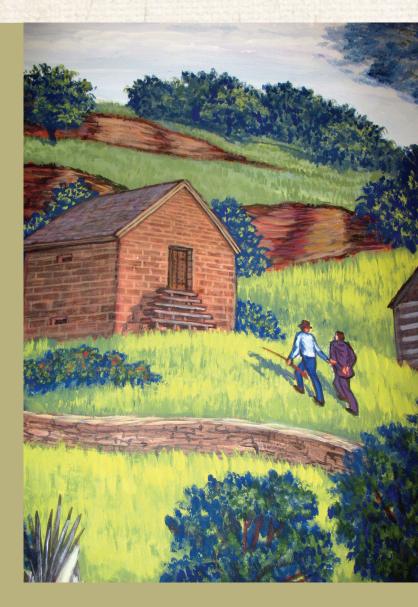
Below: portion of a mural in the Clay County Courthouse, Liberty, Missouri, depicting the Liberty Jail. Photograph by Alexander L. Baugh. Right: Joseph Smith letter, Liberty, Missouri, to Emma Smith, December 1, 1838, Church History Library.

# Lyman O. Littlefield

t must have been about the first of December when the prisoners assigned to the Liberty Jail were conveyed to that place.

"It was the privilege of the writer -if it may be called such---to witness their entrance into the place. They, of course, traveled upon the main road leading from Richmond, and entered the town of Liberty on the east. They were all in a large heavy wagon with a high box, which, as they were seated, hid from view all of their forms, except from a little below the shoulders. They passed through the centre of the town, across the public square, in the centre of which stood the court-house. After crossing this square the wagon containing them was driven up the street northward about the distance to two blocks, where, at the left hand side of the street, was a vacant piece of ground, upon which, close to the street, stood the Liberty jail, ever to be rendered famous by the entrance into it of these illustrious prisoners.

"The inhabitants of Liberty, and many from the surrounding country, were out to witness the entrance of the prisoners into the place, and many, on that occasion, on my hearing, expressed their disappointment that the strangers should so much resemble all other men of prepossessing appearance.



umber 1 tt 1 1 9 4 companion I take extunity to inform rived but we are all in good! Captain bogass my

"This large, clumsily built wagon—the box of which was highest at each end—finally halted close to the platform in front of the jail, which platform had to be reached by means of about a half a dozen steps, constructed on the south and north sides of the same. The jail fronted the street at the east.

"The prisoners left the wagon and immediately ascended the south steps to the platform, around which no banisters were constructed. The door was open, and, one by one, the tall and well proportioned forms of the prisoners entered. The Prophet Joseph was the last of the number who lingered behind. He turned partly around, with a slow and dignified movement, and looked upon the multitude. Then turning away, and lifting his hat, he said, in a distinct voice, 'Good afternoon, gentlemen.' The next moment he passed out of sight. The heavy door swung upon its strong hinges, and the Prophet was hid from the gaze of the curious populace who had so eagerly watched."

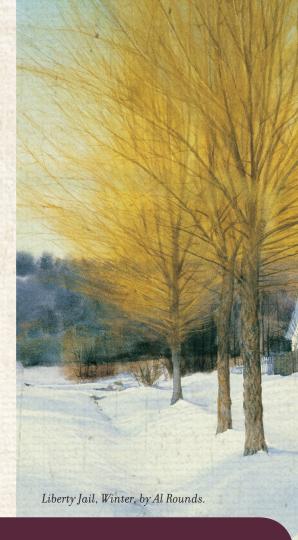
(See Andrew Jenson, The Historical Record, A Monthly Periodical, (Salt Lake City, Utah 1886), Volume VII, Number 11 & 12, December, 1888, 667.

the jail door. The oak door, lined with iron-plating, was opened, and, "one by one, the tall and wellproportioned forms of the prisoners entered."11 The last man to climb the steps was Joseph Smith. On the porch, he turned to look at the crowd of men standing nearby. Then, Littlefield writes, "lifting his hat, he said, in a distinct voice, 'Good afternoon, gentlemen." After he entered the jail, the "heavy door swung upon its strong hinges" and closed. Joseph's parting words, "Good afternoon," stirred anger in the bystanders. Steeped in the Kentucky and Virginia culture, the men believed his words carried his veiled intention to escape before morning, and they shouted boisterous threats. 12

Ignoring their shouts, Joseph penned a brief letter to his wife Emma, informing her of their arrival in Liberty and announcing that "all [were] in good spirits."13 Joseph's choice of words surely had little to do with the men's accommodations. The walls and ceiling of the jail were made of "hewed" white oak log[s]," rough and unfinished,14 and their entire living space measured "about fourteen and one-half feet from east to west, and fourteen feet from north to south" on each of two levels the main level and the dungeon. The ceiling of the main level was about seven feet from the floor; the dungeon ceiling was just under six and a half feet from the floor—and on either level the prisoners were apparently able to stand without stooping.<sup>15</sup>

If the prisoners' written accounts, affidavits, and memoirs have merit, the state-appointed jailers—Samuel Hadley, Samuel Tillery, and James H. Ford—sometimes fell short in responsibly attending to their prisoners' physical needs. In later years, these former jailers sometimes felt obliged to defend themselves against accusations still being voiced among Mormons. Ford declared in an 1888

interview with historian Andrew Jenson that "the [Mormon] prisoners were treated humanely throughout, and given all attention and privileges the law and circumstances would allow";16 attorney William Wood wrote in an 1886 story he authored for the local Liberty Tribune that Tillery was "a faithful officer of incorruptible integrity, and was not only kind and humane, but generously indulgent to these prisoners."17 Contrary to popular LDS belief, the prisoners were not confined exclusively to the jail, but were occasionally taken on walks around town (although most likely in chains) and allowed to meet with their lawyers in their private offices.18



# **Prescindia Lathrop Huntington**

Prescindia Lathrop Huntington was baptized by Oliver Cowdery, June 1, 1836. At the age of seventeen she married Norman Buell. The Huntingtons were obliged to leave Far West at the time the Saints were driven from Missouri in the spring of 1839. Prescindia grieved when her parents departed, as her husband by this time had apostatized. She writes about her visit to the prophet in Liberty Jail (see Edward W. Tullidge, The Women of Mormondom [New York: Tullidge and Crandall, 1877], 209).

"In the month of February, 1839, my father, with "Heber C. Kimball, and Alanson Ripley, came and "stayed over night with us, on their way to visit the "prophet and brethren in Liberty jail. I was invited "to go with them.

"When we arrived at the jail we found a heavy "guard outside and inside the door. We were "watched very closely, lest we should leave tools to "help the prisoners escape.

"I took dinner with the brethren in prison; they were much pleased to see the faces of true friends; but I cannot describe my feelings on seeing that man of God there confined in such a trying time for the saints, when his counsel was so much needed. And we were obliged to leave them in that horrid prison, surrounded by a wicked mob.



Regardless, the prisoners seem not to have been treated with consistent respect, much less with genuine kindness. In March 1839, exactly one month before their April 22 release, Joseph wrote, "We have been compelled to sleep on the floor with straw, and not blankets sufficient to keep us warm; and when we have a fire, we are obliged to have almost a constant smoke." Furthermore, he declared, "our food is scant, uniform [that is, the same, meal after meal], and coarse; we have not the privilege of cooking for ourselves."19 Alexander McRae and Hyrum Smith agreed that the food was virtually unpalatable, but added a more serious accusation. McRae wrote that, on one occasion, "an attempt was made to destroy us by poison. I suppose it was administered in either tea or coffee, but as I did not use either, I escaped unhurt; while all who did [use it] were sorely afflicted, some being blind for two or three days, and it was only by much prayer and faith that the effect was overcome."20 Hyrum Smith wrote of other experiences: "Poison was administered to us three or four times, the effect it had upon our

system was, that it vomited us almost to death, and then we would lie some two or three days in a torpid, stupid state, not even caring or wishing for life."21 In testimonials from the 1880s, the jailers repeatedly denied that they had administered poison to the prisoners.<sup>22</sup> Regardless of where the truth lies on this point, it is certainly possible that some of the food brought in to Joseph and his fellows was spoiled or was otherwise contaminated with E. coli or other natural toxins, creating effects that were devastating and life-threatening to the prisoners.

The most egregious claim against the jailers—a L claim forwarded by the prisoners themselves was that they occasionally fed the prisoners on human flesh or "Mormon beef."23 Predictably, the jailers and their contemporaries flatly denied these accusations as "all bosh!"24 Most Latter-day Saint historians today similarly dismiss such claims as folklore, convinced that nineteenth-century Americans widely used the term "Mormon beef" to reference cattle taken illegally from the Saints.25 But they concur with Joseph that, at least on occasion, "the mercies of the jailer[s] were intolerable."<sup>26</sup>

Despite his sometimes passionate language referencing the jailers, Joseph did not assign them primary blame for difficulties suffered by himself and his fellows. Such blame was reserved instead for the growing number of "renegade 'Mormon' dissenters" who were "running through the world and spreading various foul and libelous reports against us." Declaring all such individuals to be "ill-bred and ignorant," Joseph was particularly hurt by the actions of William McLellin, John Whitmer, David Whitmer, Oliver Cowdery, and Martin Harris, stating that they had caused himself and his fellows to "wade through an ocean of tribulation, and mean abuses."27 Indeed, on December 16, after having spent just over two weeks inside Liberty Jail, Joseph addressed a letter to "the church of latter day saints in Caldwell County and the saints scattered abroad" in which he drew a striking comparison between the Old Testament villain, Haman, and those who knowingly caused Church leaders and members to suffer. "You know that Haman could not be satisfied," he wrote, "so long as he saw Mordecai at the king's gate, and he sought the life of Mordecai and

RLDS leaders at the Liberty Jail, front view, March 18, 1887, photograph by Jacob T. Hicks. L-r. Stephen Maloney, Alexander Hale Smith, Joseph Smith III, John W. Brackenbury, Frederick C. Warnky. Photograph courtesy Community of Christ Library-Archives, Independence, Missouri.

the people of the Jews." Reminding his audience that "Haman was hanged upon his own gallows," Joseph declared that those who have attempted "by the principle of mobocracy to destroy us" shall, like Haman, "fall into their own gin and trap and ditch which they have prepared for us." In language seemingly directed at embittered former Church members, Joseph prophesied that these "shall go backward and stumble and fall, and their names shall be blotted out."<sup>28</sup>

Inderstandably, Joseph and his fellows became increasingly frustrated as, with time hanging heavy, they remained in close confinement while hope for a reprieve waned. Occasional visits from spouses, family members, or fellow Saints brought cheer during the otherwise dismal experience. The wife of each prisoner visited at least once; young male children often accompanied their mothers. Extended family members and close friends of the prisoners also made visits. Mercy F. Thompson and her sister (and Hyrum's wife), Mary Fielding Smith, arrived at the prison on January 29; Thompson later wrote, "It would be beyond my power to describe my feelings when we were admitted into the jail by the keeper and the door was locked behind us." She continued, "We could not help feeling a sense of horror on realizing that we were locked up in that dark and dismal den, fit only for criminals



of the deepest dye, but there we beheld Joseph, the Prophet, the man chosen of God . . . confined in a loathsome prison." She later recalled that she and her sister had spent the night "in fearful forebodings, owing to a false rumor having gone out that the prisoners contemplated making an attempt to escape, which greatly enraged the jailer and the guards."29 While all visitors provided diversion and cheer to the prisoners, they could not change the reality of the prisoners' confinement, and the

inevitable leave-takings of each visitor only underscored the reality of the prisoners' situation.

Among the most frequent visitors to the jail were the prisoners' faithful attorneys, Alexander W. Doniphan and Peter H. Burnett, 30 who encouraged the men not to be bystanders in the legal process. On January 24, Joseph and his fellows addressed a petition to the Missouri legislature for a fair hearing of their case, asserting that the hearing at Richmond had been biased and unfair.31 Their petition

# **Lyman Wight**



ou will take Joseph Smith and the other prisoners into the public square of Far West, and shoot them at 9 o'clock to-morrow morning."1 Among the prisoners receiving this illegal sentence on November 1,1838 was Lyman Wight, known by friend and foe

alike as the "Wild Ram of the Mountains." 2 Lyman was born in Fairfield, New York, during the final year of George Washington's presidency.<sup>3</sup> He cast his lot with the Church in Kirtland only a few months after its organization. A year later he went as a missionary to Cincinnati, where he baptized nearly one hundred persons, many of whom traveled with him to Jackson County, Missouri. . . .

On the night before the execution on the square of Far West was to be carried out, General Moses Wilson came to Elder Wight and said, "We have nothing against you, only that you are associated with Joe Smith. He is our enemy and a damned rascal. If you come out and swear against him, we will spare your life." Brother Wight replied that Joseph Smith is "as good a friend as you have got. Had it not been for him, you would have been in hell long ago, for I should have sent you there, by cutting your throat, and no other man but Joseph Smith could have prevented me." Wilson said, "Wight, you are a strange man; but if you will not accept my proposal, you will be shot to-morrow morning at 8." Elder Wight replied, "Shoot and be damned."4 The sentence was not carried out, but Lyman Wight suffered inhumane incarceration with the Prophet and others until their escape six months later.

Two years after that, in Nauvoo, Lyman Wight was called to be one of the members of the Quorum of the Twelve Apostles. In that capacity he returned to Kirtland in 1842, where he rebaptized about two hundred Saints who had apostatized in 1837 and 1838. Fiercely devoted to Joseph Smith, Elder Wight was unable to transfer that allegiance to Brigham Young after the Prophet's martyrdom. "The day was when there was somebody to control me, but that day is past," he declared. 5 Thirteen years earlier the Lord had warned in a revelation, "Let my servant Lyman Wight beware, for Satan desireth to sift him as chaff" (D&C 52:12). In 1845 he led a small group of dissident members to Texas, where they settled in various locations. At a general conference in 1848, the "Wild Ram of the Mountains," Lyman Wight, was excommunicated. When he died ten years later, his followers scattered. Some came to Utah where they were rebaptized.6

Excerpts from Lawrence R. Flake, Prophets and Apostles of the Last Dispensation (Provo, UT: Religious Studies Center, Brigham Young University, 2001), 383-85.

- 1 Joseph Smith, History of the Church of Jesus Christ of Latter-day Saints, ed. B. H. Roberts, 2d ed., rev. (Salt Lake City: Deseret Book, 1957) 3:190.
- 2 History of the Church, 7:435.
- 3 Jeremy Benton Wight, The Wild Ram of the Mountain: The Story of Lyman Wight (Afton, WY: Afton Thrifty Print, 1996),
- 4 Andrew Jenson, "Lyman Wight," Historical Record 5 (December 1886): 110.
- 5 Jenson, "Wight," 111.
- 6 "Lyman Wight Named to Presidency At Adam-ondi-Ahman," Church News, 21 January 1961, 16.



was received and considered, but not acted upon. Previously, on January 8, their legal counsel had brought Judge Joel Turnham on a visit to the jail; Turnham was justice of Clay County. Following this visit, Doniphan and Burnett filed a writ of *habeas corpus* with Turnham, which was granted,<sup>32</sup> and on January 25, the prisoners were arraigned before Turnham at the Clay County Courthouse. Doniphan was interviewed for an 1884 *Saints' Herald* story on the Missouri era; the story reported Doniphan's recollections in third person:

"After the counsel had argued the legal conditions of the case, Elder Rigdon desired General Doniphan to inquire of the Judge if he might speak in his own behalf. The Judge said, 'Certainly.' Elder Rigdon rose and began, and says the General, 'Such a burst of eloquence it was never my fortune to listen to.' At its close there was not a dry eye in the room, all were moved to tears. . . . The Judge [then] said, 'The prisoner is discharged [from] the custody of the Court. Mr. Rigdon is free to go his way.'"<sup>33</sup>

Because of mobsters' threats, however, Sidney chose to remain inside Liberty Jail with the others until February 5. At that point he was released and began his journey to join the main body of Saints who were relocating in Illinois.

Left with little hope following their arraignment, and imagining themselves out of legal options, the remaining five prisoners began plotting an escape. The first of two escape attempts was made in early February;<sup>34</sup> indeed, it is likely that the five men began laying plans in earnest soon after Sidney was released on the morning of February 5. "After counseling together on the subject," Alexander McRae recorded later, "we concluded to try to go that evening when the jailer came with

our supper; but Brother Hyrum, before deciding fully, and to make it more sure, asked Brother Joseph to inquire of the Lord as to the propriety of the move. He did so, and received answer to this effect—that if we were all agreed, we could go clear that evening; and if we would ask, we should have a testimony for ourselves." McRae reports that in answer to his prayer, "I received as clear a testimony as ever I did of anything in my life, that it was true." Hyrum Smith and Caleb Baldwin had similar experiences, but Lyman Wight told the others that "[they] might go if [they] chose, but he would not." He eventually agreed to join the attempt if the others would wait until the following day. McRae confesses, "Without thinking we had no promise of success on any other day than the one stated above, we agreed to wait."

Infolding events would show the men their error. That evening, there was only one jailer, and the men might easily have made their escape. On the following evening, McRae writes, "the case was very different," given that "the jailer brought a double guard with him," together with six of the prisoners' friends. "The jailer seemed badly scared," McRae reports. "He had the door locked and everything made secure," and "it looked like a bad chance to get away." Given that the men had promised themselves to attempt the escape, however, they "were determined to try it; so when the jailer started out, we started too. Brother Hyrum took the door, and the rest followed; but before we were able to render him the assistance he needed, the jailer and guard succeeded in closing the door, shutting the [visiting] brethren in with us, except Cyrus Daniels, who was on the outside."35 Tillery and Ford, the



attempting an escape.36

McRae declared that "the scene that followed this defies description," opining that "all the town, and many from the country, gathered around the jail, and every mode of torture and death that their imagination could fancy, was proposed for us, such as blowing up the jail, taking us out and whipping us to death, shooting us, burning us to death, [or] tearing us to pieces with horses." Fortunately for the prisoners, however, the mob "were so divided among themselves that they could not carry out any of their plans."37

A second escape attempt was made about three weeks later on March 3, 1839. By this point, the prisoners had made a breach in the timbered wall with augers. When their "auger handles gave out," Joseph Smith applied "to a friend, and a very slight, incautious act gave rise to some suspicions, and before we could fully succeed, our plan was discovered." Joseph lamented, "We had everything in readiness but the last stone, and we could have made our escape

over anxiety on the part of our friend."38 Following the thwarted attempt, Tillery threatened to chain the prisoners to the floor. "Tillery, if you put those chains on me I will kill you, so help me God!"39 Caleb Baldwin shouted.

Although Baldwin's outburst scared the jailer, it did little to blunt discouragement inside the jail. A March 7 letter from Emma only salted wounds: "No one but God knows the reflections of my

# **Mercy Fielding Thompson**

Hyrum's wife, Mary Fielding Smith and her sister, Mercy Fielding visited the jail in January, 1839. After the visit, Mercy wrote:

"It would be beyond my power to describe my feelings when we were admitted into the jail by the keeper and the door was locked behind us. . . . We could not help feeling a sense of horror on realizing that we were locked up in that dark and dismal den, fit only for criminals of the deepest dye; but there we beheld Joseph, the Prophet . . . confined in a loathsome prison for no other cause or reason than that he claimed to be inspired of God to establish His church among men." ("Recollections of the Prophet Joseph Smith," Juvenile Instructor, July 1, 1892, 398.)



mind and the feelings of my heart when I left our house and home, and almost all of every thing we possessed excepting our little Children, and took my journey out of the State of Missouri, leaving you shut up in that lonesome prison." Referring to her poor handwriting Emma continued, "You will pardon all when you reflect how hard it would be for you to write, when your hands were stiffened with hard work, and your heart convulsed with intense anxiety. But I hope there are better days to come to us yet."

As March wore on, those "better days" seemed no closer. On March 15, the prisoners petitioned Justice George Thompkins of the Missouri Supreme Court, asking that the court review their case, 41 but neither the secretary of state nor the court itself was willing to "take any action." On this same day, Joseph Smith wrote to Presendia Huntington Buell, a Latter-day Saint refused entrance to the jail: "My heart rejoiced at the friendship you manifested in requesting to have conversation with us but the Jailer is a very Jealous man

for fear some one will leave tools for us to get out." He continued, "After having been inclosed in the walls of a prison for five months it seems to me that my heart will always be more tender after this than ever it was before." Confiding that "my heart bleeds continually when I contemplate the distress of the Church," Joseph added a heartfelt desire: "Oh that I could be with them[!] I would not shrink at toil and hardship to render them comfort and consolation[.] I want the blessing once more to lift my voice in the midst of the Saints," to "pour out my soul to God for their instruction."<sup>43</sup>

Only five days later, on March 20, Joseph began dictating a twenty-nine page letter that would instruct and bless the Saints for generations to come, providing untold comfort and consolation across the ages. Addressed to "the church of Latter day saints at Quincy Illinois and scattered abroad and to Bishop Partridge," and transcribed over a six-day period by Alexander McRae (scribe for twenty-seven pages) and Caleb Baldwin (scribe for two pages), the letter was written in two parts; each part was signed by all five prisoners. As most students of

Church history know, this miraculous document contained the revelations eventually canonized as sections 121, 122, and 123 of the Doctrine and Covenants.

In the letter Joseph cries, "O God, where art thou? And where is the pavilion that covereth thy hiding place? How long shall thy hand be stayed, and thine eye, yea thy pure eye, behold from the eternal heavens the wrongs of thy people and of thy servants, and thine ear be penetrated with their cries?" (D&C 121:1–2). In response to the pleas of his servant, the Lord answers, "My son, peace be unto thy soul; thine adversity and thine afflictions shall be but a small moment; And then, if thou endure it well, God shall exalt thee on high; thou shalt triumph over all thy foes" (D&C 121:7–8). More than any other event of the five months Joseph and his fellows spent in prison, this six-day revelatory experience must have comforted and strengthened them and provided them with hope and reassurance. When the experience ended on March 25, less than two weeks remained of their imprisonment at Liberty.

n April 4, Joseph wrote a brief letter to Emma. "Dear—and affectionate—Wife," he began. "Thursday night I sat down just as the sun is going down, as we peak through the grates of this lonesome prison, to write to you, that I may make known to you my situation." Stating that it was "now about five months and six days since I have been under the grimace, of a guard night and day, and within the walls grates and screeching iron doors, of a lonesome dark dirty prison," Joseph suggests that, "with emotions known only to God," he and his fellows are occupied by "contemplations of the mind" that defy "the pen, or tongue, or Angels, to describe, or paint, to the human being who never experiences what we experience." Then he comes to his triumphant point: "This night we expect is the last night we shall lay our weary joints and bones on our dirty straw couches in these walls, let our case hereafter be as it may, as we expect to start tomorrow, for our trial . . . . We lean on the arm of Jehovah, and none else, for our deliverance."44

Less than a day and a half later, on the morning of April 6, the prisoners emerged from Liberty Jail and began their journey, under guard, toward Gallatin—the county seat of Daviess County, Missouri. None of the five men would ever return to Liberty.

- 1 Times and Seasons, July 1, 1843, 254.
- 2 See Leland H. Gentry, "A History of the Latter-day Saints in Northern Missouri," (1965); Stephen C. LeSueur, *The 1838 Mormon War in Missouri* (1987).
- 3 Millennial Star, September 9, 1854, 566.
- 4 Joseph Smith Papers, History, 1838–1856, vol. C–1, January 1, 1839.
- 5 Times and Seasons, July 1, 1843, 254.
- 6 Lyman Omer Littlefield, *Reminiscences of Latter-day Saints* (1888), 32.
- 7 Littlefield, Reminiscences, 79.
- 8 Littlefield, Reminiscences, 80.
- 9 Solomon Fry had built this first jail in Liberty in 1833 at a cost of \$600 (Walter Williams, *A History of Northwest Missouri*, 3 vols. [1915], 3:2001).
- 10 The Historical Record, 7:671.
- 11 Littlefield, Reminiscences, 80.
- 12 Littlefield, Reminiscences, 80-81.
- 13 Joseph Smith Letter to Emma Smith, December 1, 1838, Joseph Smith Papers. See *Millennial Star*, March 10, 1855, 149.
- 14 Times and Seasons, July 1, 1843, 254
- 15 The Historical Record, 7:670.
- 16 Andrew Jenson, Edward Stevenson, and Joseph S. Black, "Letter 9." In *Infancy of the Church* (1889), 26.
- 17 William T. Wood, "Mormon Memoirs," *Liberty Tribune*, April 9, 1886.
- 18 See Jenson, Stevenson, and Black, "Letter 9"; see also Wood, "Mormon Memoirs." The St. Louis *Missouri Argus* reported, "You may often see Joe himself in the streets, with a guard, taking the air" (April 12, 1839).
- 19 "Copy of Letter from J. Smith, Jun. to Mr. Galland," Millennial Star, February 15, 1846, 50.
- 20 "Incidents in the History of Joseph Smith," 136.
- 21 Times and Seasons, July 1, 1843, 254.
- 22 Wood, "Mormon Memoirs."
- 23 Millennial Star, July 2, 1859, 427.
- 24 Wood, "Mormon Memoirs"; see also Jenson, Stevenson, and Black, "Letter 9."

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- 25 Glenn Rawson interview with Alexander L. Baugh, June 25, 2014.
- 26 Millennial Star, August 20, 1859, 540.
- 27 Joseph Smith, Letter to the Church in Caldwell County, Missouri, December 16, 1839, Joseph Smith Papers.
- 28 Joseph Smith, Letter to the Church in Caldwell County, December 16, 1839.
- 29 Juvenile Instructor, July 1, 1892, 398.
- 30 Joseph Smith Papers, History, 1838–1856, vol. C-1, December 17, 1838 to January 8, 1839.
- 31 Heman C. Smith, ed. Journal of History (1919), 12:391-93.
- 32 Millennial Star, November 25, 1854, 743.
- 33 Saints' Herald, August 2, 1884.
- 34 There is ambiguity in the historical record as to the date. McRae's record (see History of the Church [1905], vol. 3, p. 257) shows the attempt was planned on February 7 and made on February 8; the "Within the Walls of Liberty Jail" history page sponsored by the LDS Church shows the attempted escape date as February 6 (see https://history. lds.org/article/doctrine-and-covenants-libertyjail?lang=eng). The latter date is assumed here.
- 35 Millennial Star, March 3, 1955, 135-36.
- 36 Littlefield, Reminiscences, 84.
- 37 Millennial Star, March 3, 1855, 136.
- 38 Joseph Smith Letter to the Church and Edward Partridge, March 20, 1839, Joseph Smith Papers.
- 39 "Obituary of Caleb Baldwin." In Journal History of the Church, June 11, 1849.
- 40 Letter from Emma Smith, March 7, 1839. Joseph Smith Papers.
- 41 Petition to George Thompkins, March 15, 1839. Joseph Smith Papers.
- 42 Millennial Star, February 12, 1883, 101.
- 43 Letter to Presendia Huntington Buell, March 15, 1839. Joseph Smith Papers.
- 44 Joseph Smith Letter, Liberty, MO, to Emma Smith, Quincy, IL, April 4, 1839. Joseph Smith Papers.



# **Alexander McRae**

In 1854, Alexander McRae wrote several letters to the newspaper describing what life had been like in the Liberty, Missouri Jail during his imprisonment with Joseph Smith and others from December 1, 1838 until April 6, 1839. (Second Letter of Alexander McRae to the Deseret News, Salt Lake City, Utah, Nov. 1. 1854)

r. Editor: Sometime during our stay in Liberty igil an attempt was made to destroy us by poison. I supposed it was administered in either tea or coffee, but as I did not use either, I escaped unhurt, while all who did were sorely afflicted, some being blind two or three days, and it was only by much faith and prayer that the effect was overcome.

We never suffered ourselves to go into any important measure without asking Brother Joseph to inquire of the Lord in relation to it. Such was our confidence in him as a Prophet, that when he said "Thus saith the Lord," we were confident it would be as he said; and the more we tried it, the more confidence we had, for we never found his word fail in a single instance.

A short time before we were to go to Davies county for trial, word came to us that either General Atchison or Doniphan, would raise a military force, and go with us to protect us from the wrath of that people. The matter was discussed by the brethren (except Brother Joseph), and they naturally enough concluded it would be best; and although I had nothing to say, I concurred with them in my feelings. Brother Hyrum asked Brother Joseph what he thought of it. Brother Joseph hung his head a few moments, and seemed in a deep study, and then raised up and said, "Brother Hyrum, it will not do; we must trust in the Lord; if we take a guard with us we shall be destroyed."

This was very unexpected to us, but Brother Hyrum remarked, "If you say it in the name of the Lord, we will rely on it." Said Brother Joseph, "In the name of the Lord, if we take a guard with us, we will be destroyed; but if we put our trust in the Lord, we shall be safe, and no harm shall befall us, and we shall be better treated than we have ever been since we have been prisoners."

This settled the question, and all seemed satisfied, and it was decided that we should have no extra guard, and they had only such a guard as they chose for our safe keeping. When we arrived at the place where the court was held, I began to think he was mistaken for once, for the people rushed upon us en mass crying, "Kill them; [expletive], kill them." I could see no chance for escape, unless we could fight our way through, and we had nothing to do it with. At this, Brother Joseph, at whom all seemed to rush, rose up and said, "We are in your hands; if we are guilty, we refuse not to be punished by the law." Hearing these words, two of the most bitter mobocrats in the country—one by the name of William Peniston and the other Kinney, or McKinney, I do not remember which—got up on benches and began to speak to the people, saying, "Yes, gentlemen, these men are in our hands; let us not use violence, but let the law have its course; the law will condemn them, and they will be punished by it. We do not want the disgrace of taking the law into our own hands."

In a very few minutes they were quieted, and they seemed now as



friendly as they had a few minutes before been enraged. Liquor was procured, and we all had to drink in token of friendship. This took place in the court-room (a small log cabin about twelve feet square), during the adjournment of the court; and from that time until we got away, they could not put a guard over us who would not become so friendly that they dare not trust them, and the guard was very frequently changed. We were seated at the first table with the judge, lawyers, etc., and had the best the country afforded, with feather beds to sleep on—a privilege we had not before enjoyed in all our imprisonment.

On one occasion, while we were there, the above-named William Peniston, partly in joke and partly in earnest, threw out a rather hard insinuation against some of the brethren. This touched Joseph's feelings, and he retorted a good deal in the same way, only with such power that the earth seemed to tremble under his feet, and said, "Your heart is as

black as your whiskers," which were as black as any crow. He seemed to quake under it and left the room.

The guards, who had become friendly, were alarmed for our safety, and exclaimed, "O, Mr. Smith, do not talk so; you will bring trouble upon yourself and companions."
Brother Joseph replied, "Do not be alarmed; I know what I am about."
He always took up for the brethren, when their characters were assailed, sooner than for himself, no matter how unpopular it was to speak in their favor.

Yours as ever,

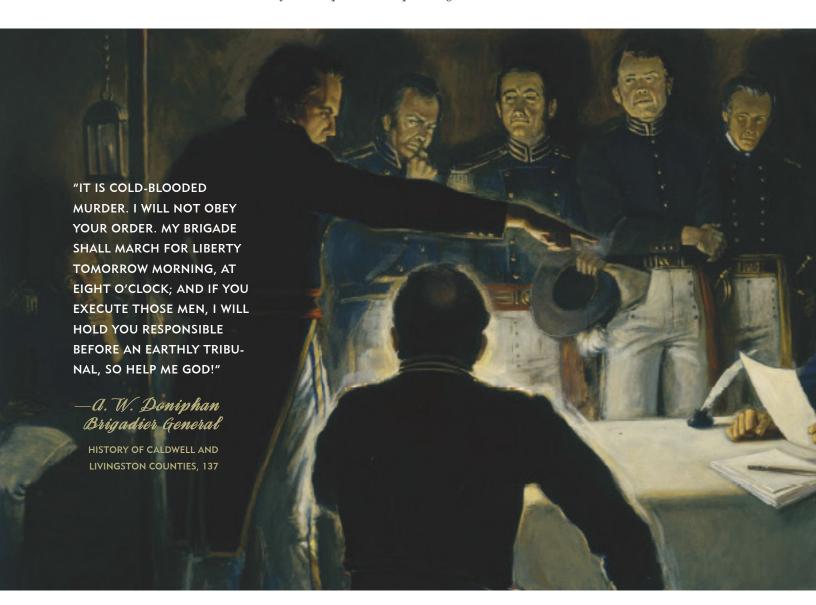
# Alexander McRae

Alexander McRae wrote in 1854: "Among our friends who visited us were Presidents Brigham Young and Heber C. Kimball--the latter several times: George A. Smith of the Quorum of the Twelve; Don C. Smith, brother of Joseph, came several times and brought some of our families to see us; Benjamin Covey, bishop of the Twelfth Ward of this city, brought each of us a new pair of boots and made us a present of them; Orrin P. Rockwell brought us refreshments many times and Jane Bleven and her daughter brought us cakes and pies, etc., and handed them in through the window. These things helped us much as our food was very coarse and so filthy we could not eat it until we were driven to it by hunger."

# The Illegal Path to Liberty Jail Abusing Missouri Law

## BY JEFFREY N. WALKER AND GORDON A. MADSEN

Editors of the Joseph Smith Papers, Legal and Business Series



The surrender at Far West on October 31, 1838, marked the end of the Mormon conflict of 1838. It also marked the beginning of the incarceration of Joseph Smith and some of his closest allies, an imprisonment that did not end until their release while en route to Columbia, Missouri, in April 1839. To explore the constitutionality of this imprisonment, our article examines actions taken by military and political officials and by the Missouri courts following the capture of Joseph and others outside Far West and leading



up to the prisoners' preliminary hearing before Judge Austin A. King.<sup>1</sup>

By October 29, 1838, more than two thousand local militia troops, under the command of Major General Samuel D. Lucas, gathered just south of Far West and prepared to make their final assault on the Mormons. Lucas's animosity towards the Mormons extended back to 1833, when he was a central figure in driving the Mormons from Jackson County, where he then lived. In an effort to find a peaceful resolution to the escalating conflict, Joseph Smith and other key leaders arranged through Colonel George M. Hinkle, the Mormon leader of the Caldwell County militia, to discuss terms of settlement with General Lucas. Relying on Hinkle's assurances that Lucas was prepared to discuss a peaceful surrender, Joseph and his colleagues left Far West to meet with General Lucas. However, after they arrived at Lucas's camp, Hinkle announced, "Here general are the prisoners I agreed to deliver to you."2 Joseph and the others were now prisoners of Lucas. The group of prisoners ultimately included Joseph Smith, Hyrum Smith, Sidney Rigdon, Lyman Wight, Parley P. Pratt, George Robinson, and Amasa Lyman.

Immediately, the legality of their capture was in question. No traditional legal process was followed in taking any of these men into custody. Instead, the following day (November 1), General Lucas convened a court martial and sentenced the prisoners to death. Although Lucas believed that he had legal authority to convene a court martial, he did not. Ordered to carry out Lucas's sentence, Brigadier General Alexander Doniphan, an attorney under Lucas's command, voiced his objection to Lucas's illegal actions and refused to carry out his orders to continue with the court martial. Lucas backed down and left Far West with the prisoners, taking them to Independence, Jackson County (his hometown), and then eventually to Liberty, Clay County.

Indeed, the illegality of Lucas's actions went beyond his trying to convene a military trial. In

order to legally arrest and hold Joseph and his fellows, Lucas should have insured that appropriate complaints had been filed in the local court, complaints naming each accused man, identifying his alleged crime, and seeking an arrest warrant against him.3 If that standard process had been followed and arrest warrants had been issued by the court, Joseph and the others would have known from the outset the basis for their arrests and incarceration.4

The prisoners were subsequently ordered to be taken to Richmond, Ray County, where Fifth District Judge Austin A. King<sup>5</sup> prepared to hear county prosecuting attorney Thomas Burch name the charges brought against them by the state. Judge King was not entirely an impartial agent in this case, given that his brother-in-law had been killed in 1833 during the driving of the Mormons from Jackson County. Because of his family history, Judge King should have recused himself from hearing the case and ordered it moved to a different circuit.6 He did neither of these things, and his obvious bias was manifest throughout the hearing. Lyman Wight recounted, "I heard Judge King say on his bench, in the presence of hundreds of witnesses, that there was no law for the 'Mormons,' and they need not expect any. Said he, 'If the Governor's

Alexander W. Doniphan, chief legal counsel to the Mormons in Missouri from 1833–39. Portrait by by George Caleb Bingham.

> exterminating order had been directed to me, I would have seen it fulfilled to the very letter ere this time."77

On arriving at Richmond, Joseph Smith and the other prisoners were placed in a makeshift jail created from a vacant home, where they were chained together to the center of

the floor. They remained jailed in Richmond for three weeks. As Parley P. Pratt recorded, it was here that Joseph delivered his famous rebuke of the rough men who guarded them.

About this same time, Major General John B. Clark—commander-in-chief of the regional state militia who succeeded Lucas—arrived in Far West. General Clark conducted his own unauthorized and illegal interrogation of the Mormon citizens of Far West, determining that an additional fortysix men should be taken prisoner to Richmond to be charged with various crimes before Judge King. Clark personally took these additional prisoners to Richmond—and once again, although required by law, no complaints against the prisoners were filed in any court, and no arrest warrants were issued for any of them.

The hearing before Judge King commenced on November 12, 1838, and lasted until November 29;8 it was formally referred to as a "court of inquiry," the equivalent of a preliminary hearing today. The purpose of the hearing was to determine whether there was sufficient evidence to establish "probable cause" that the prisoners had committed the respective crimes with which they were charged.9

It is hard to know details of the hearing because the record is incomplete. In fact, the records were kept in such a manner that when, in December 1838, the Missouri legislature was tasked with reviewing the King hearing, they opined that "the evidence adduced in the examination there held, in a great degree ex parte [to the advantage of only one side], and not of the character which



THE ARREST OF MORMON LEADERS by C. C. A. Christensen



Upon arriving at Richmond, Joseph Smith and his fellow prisoners were jailed in a makeshift jail created in a vacant home, where they were chained together to the center of the floor.

should be desired for the basis of a fair and candid investigation."10

The hearing was riddled with legal mistakes. In fact, its irregularities were so pervasive as to render it meaningless, and Hyrum Smith referred to it as a "pretended court." 11 Alexander Doniphan, who arrived in Richmond and worked as the lead attorney representing the defendants, noted, "Though a legion of angels from the opening heavens should declare your innocence, the court and populace have decreed your destruction."12

Illegal actions associated with the hearing ranged from due-process errors in arresting and holding the prisoners to substantive flaws in the hearing itself. The following list summarizes primary legal errors before and during the preliminary hearing for Joseph and his fellows:

• No complaint against any of the defendants

was ever filed with a court of law, much less a correct complaint based on sworn testimony and describing the crimes of which the defendants were accused.13

- No arrest warrants—based on legal complaints and supporting sworn testimonies—were issued by any court.14
- Not until the beginning of their hearing before Judge King were the defendants told the charges against them. Sidney Rigdon recorded, "No papers were read to us, no charges of any kind preferred, nor did we know against what we had to plead. Our crimes had yet to be found out."15
- Despite their apparent rights to separate trials, and despite the fact that the differing charges brought against them required independent witnesses, all the prisoners were tried simultaneously and witnesses were used interchangeably.



Thuas at Richmond that Parley P. Pratt recorded the famous rebuking of the guards by Joseph Smith.

Sidney Rigdon wrote, "At the commencement we requested that we might be tried separately; but this was refused, and we were all put on our trial together." <sup>16</sup>

- Defendants were illegally added throughout the hearing. The hearing started with fifty-three defendants (Joseph Smith and the six other men brought by General Lucas plus the forty-six men brought by General Clark). Eleven additional defendants were added during the hearing, bringing the total to sixty-four defendants. Two of the sixty-four were never officially named as defendants, but these were nevertheless ordered by Judge King to appear with the others before the next hearing of the grand jury in Daviess County, creating obvious due-process failures.
- Regarding witness testimony, records of the hearing seem deliberately incomplete. The direct testimony of Sampson Avard, star witness for the

prosecution, is amply preserved in the official record. As the former leader of the Danites (who had led much of the Mormon opposition against the Missourians), Avard had cut a deal with the state to avoid prosecution by implicating Joseph Smith and others. And yet while many present at the hearing affirmed that Avard was vigorously cross-examined for more than a full day, <sup>17</sup> not a single cross-examination was recorded.

- Witnesses for the defense were repeatedly intimidated, driven off, or named as defendants. <sup>18</sup> Ultimately, defense counsel told the defendants to stop naming or trying to bring in other witnesses, as it only put those named at substantial risk.
- As the alleged crimes of each defendant were presented and witnesses for the prosecution brought forward, there were few attempts to match the essential details of each crime, including geographic location and time, with witnesses or even

the defendant himself. In many cases, objective readings of the official record show that details of the alleged crimes were never established.<sup>19</sup>

Despite obvious procedural irregularities, it was hardly surprising when Judge King ruled against the Mormon defendants. Twenty-three of the men were bound over on charges ranging from arson<sup>20</sup> and burglary<sup>21</sup> to robbery<sup>22</sup> and larceny.<sup>23</sup> Since bail was available for such charges,<sup>24</sup> each of these twenty-three provided cash for bail or pledged his Missouri property<sup>25</sup> with a bondsman. Ironically, the designated bondsmen were, in most cases, the very same people who had illegally arrested the defendants in the first place.

Five other defendants, including Parley P. Pratt, were charged with murder<sup>26</sup> in connection with the Crooked River Battle, during which four men had been killed—three Mormons (David Patten, Gideon Carter, and Patterson O'Banion) and one Missourian (Moses Rowland). No Missourian was ever charged with the killing of the two Mormons. Bail was not available for those facing murder charges.<sup>27</sup> Since the charges arose from incidents occurring in Ray County, of which Richmond was the country seat, these five men remained imprisoned in Richmond.

Joseph Smith and four others—Hyrum Smith, Alexander McRae, Caleb Baldwin, and Lyman Wight—were referred to the Daviess County grand jury on the unique charge of treason. The charge against these five men arose principally from the burning of buildings in Daviess County; Sidney Rigdon was also charged with treason for two speeches he gave in Far West, Caldwell County.

The propriety of the treason charges was legally suspect for two reasons. First, it was questionable whether the Missouri state court had the authority to make the charge. Second, it remains questionable whether the narrow basis for the charge was ever established on a *prima facie* basis.<sup>28</sup> However, as with the five men charged with murder, bail was not available to the six charged with treason.<sup>29</sup> Since there were no jails in either Daviess or Caldwell Counties where the alleged crimes occurred, Judge King ordered the prisoners be transferred to the jail closest to these counties: Liberty Jail in Liberty, Clay County.

The prisoners arrived at the Liberty Jail under strong guard on December 1, 1838, to begin what would be far more than an unpleasant four-month winter incarceration.

This article is a portion of a larger chapter "The Aftermath: Abusing Missouri Law" which further explores the legal machinations behind the incarceration of Joseph Smith and his fellows in Liberty Jail, together with their subsequent release. The chapter will be published in the near future.

- 1 Gordon Madsen, "Joseph Smith and the Missouri Court of Inquiry: Austin King's Quest for Hostages," *BYU Studies* 43, no. 4 (2004): 93–136.
- 2 "Lyman Wight Sworn," *Times and Seasons,* July 15, 1843, 267.
- 3 An Act to Regulate Proceedings in Criminal Cases (March 21, 1835), art. II, sec. 2, in *Revised Statutes of the State of Missouri*, 2nd ed. (1840), 474.
- 4 Ibid., sec. 3, 475.
- 5 Clearly, Judge King fully understood these and other statutory requirements as noted herein, as he was the chairman of the committee organized by the Missouri legislature to compile and oversee the printing of *The Revised Statutes of the State of Missouri*. See *Revised Statutes*, 2.
- 6 Act to Regulate Proceedings in Criminal Cases, art. V, sec. 15, 486.
- 7 "Lyman Wight Sworn," 268.
- 8 An Act to Establish Judicial Districts and Circuits, and Prescribe the Times and Places of holding Courts (March 17, 1835), in *Revised Statutes*, sec. 21, 164. (The Fifth Circuit Court for Ray County commenced its November term on the first Monday in November, which was November 4, 1838).
- 9 A court of inquiry was predicated on a properly verified complaint and issued warrant (Act to Regulate Proceedings in Criminal Cases, art. II, secs. 2, 3, 12, and 13, 474–76). A finding of probable cause was similarly required by statute (Ibid., secs. 21 and 22, 476–77).
- 10 Correspondence, Orders, &c. in Relation to the Disturbances with the Mormons; and the Evidence (Missouri General Assembly, 1841), 2.
- 11 "Hyrum Smith Sworn," *Times and Seasons,* July 1, 1843, 254.
- 12 Parley P. Pratt, Autobiography of Parley Parker Pratt (1874), 233.
- 13 Act to Regulate Proceedings in Criminal Cases, art. II, sec. 2, 474.
- 14 Ibid., art. II, sec. 2, 474.
- 15 "Sidney Rigdon Sworn," *Times and Seasons*, August 1, 1843, 277. Lyman Wight similarly supported this failure. See "Lyman Wight Sworn," 268.

16 "Sidney Rigdon Sworn," 276. This was done in violation of the protections and procedures outlined in Act to Regulate Proceedings in Criminal Cases, art. II, secs. 13–19, 476.

17 Act to Regulate Proceedings of Criminal Cases, art. II, sec. 20, 476.

18 Rough Draft Notes of History of the Church, 1838–07 (Aza Judd, Jun.), Church History Library, Salt Lake City. This was done in violation of the provisions in Act to Regulate Proceedings in Criminal Cases, art. II, sec. 15, 476.

19 This was done in violation of the provisions of Act to Regulate Proceedings in Criminal Cases, art. II, secs. 21 and 22, 476–77.

20 As defined in An Act Concerning Crimes and Their Punishment (March 20, 1835), art. III, secs. 1–12, 174–75, in *Revised Statutes*.

21 Ibid., art. III, secs. 13–19, 175–76.

22 Ibid., art. III, secs. 25–29, 177.

23 Ibid., art. III, secs. 30–35, 177–78.

24 Ibid., art. III, secs. 35 and 37, 478.

25 Ibid., art. III, sec. 26, 177.

26 Ibid., art. I, secs. 1–3, pp. 167–68.

27 Constitution of the State of Missouri, art. XIII, sec. 11, in *Revised Statutes*, 28.

28 Ibid., art. XIII, sec. 15, 28.

29 Ibid., art. XIII, sec. 11, 28.

Images on pages 19, 20, and 37 from the movie "Joseph Smith: Prophet of the Restoration," courtesy Intellectual Reserve, Inc.

# Liberty Jail, Clay County, Missouri

Location: 216 North Main, Liberty, Missouri



Liberty Jail LDS Visitors' Center, 2013, photograph by Alexander L. Baugh.

The fall of 2013 marked the 175th anniversary of the Prophet's incarceration in Liberty Jail as well as the 50th anniversary of the jail's dedication (on September 15, 1963) by Elder Joseph Fielding Smith, then a member of the Quorum of the Twelve.

A commemorative symposium and reception were held October 12-13, 2013. Speakers included Elder M. Russell Ballard of the Quorum of the Twelve; Alexander Baugh and Susan Easton Black, BYU professors of Church History and Doctrine; and Daniel C. Peterson, BYU professor of Islamic Studies. Baugh explained that of the letters written by Joseph from Liberty Jail, a total of eight have survived. Among these is the twenty-nine-page letter from Joseph to the Saints, transcribed in March 1839 by Alexander McRae and Caleb Baldwin—and excerpted as Doctrine and Covenants 121, 122, and 123.

Summarizing the experience of

the Prophet, Baugh said, "Liberty Jail changed Joseph, there's no question. He became more compassionate, more kind, and more determined to do what the Lord asked."

The interior of the jail was about 14 feet by 14½ feet, and the lower dungeon had a ceiling about 6½ feet high—the height of McRae, one of the prisoners. For part of their incarceration, Joseph and his fellows were confined to this bottom level. The walls were 4 feet thick with timbers on the inside, cut stones on the outside, and loose rock in between. There was also loose rock above the ceiling of the upper floor. There were two small windows with iron bars on the upper level and even smaller windows in the dungeon.

Elder Ballard summarized the history of Liberty Jail following the Prophet's incarceration:

Liberty Jail was used as a county jail until 1858, when it was replaced. The property was vacant and the building was used as an



Above: partial reconstruction of the Liberty Jail, Liberty Jail LDS Visitors' Center, 2000; right: Clay County historical marker 2013; photographs courtesy Alexander L. Baugh.

icehouse for several years. It was bought by Leroy Stephens in 1904, who tore down the remains of the upper floor and built a house using the existing foundation as part of the foundation of the house. The house was sold to Carl Fisher in 1920.

Wilford C. Wood of Woods Cross, Utah, bought the house on June 19, 1939, for \$4000 and gave it to the Church. President Heber J. Grant then paid Brother Wood for the house.

For 10 years, there was no development, so in 1949 Brother Wood purchased the house next door as a residence for a missionary couple to give tours; from 1949 to 1958 missionaries lived in the

house and gave tours. It was also used as a meetinghouse for the Liberty Branch.

The current visitors' center was constructed in 1962–63. (See "Elder Ballard Speaks at Anniversary of Historic Liberty Jail," contributed by R. Scott Lloyd and Sharon Shull, Ids.org/church/news.)

The Church has restored a portion of Liberty Jail to resemble its appearance and condition at the time when Joseph and other leaders were incarcerated there.

For more information, see mormonhistoricsites.org/liberty-jail.

Caleb Baldwin, Faithful Saip

by Justin R. Bray

n December 1, 1838, Caleb Baldwinn, a little-known Latter-day Saint from Warrensville, Ohio, was charged with "crimes of high treason" and incarcerated in the nondescript Liberty Jail. Within this small prison, Baldwin helped scribe some of Joseph Smith's most profound reflections in letters to the scattered and destitute Latter-day Saints—portions of which were later canonized as Doctrine and Covenants 121, 122, and 123. Baldwin, who was the senior member of the group of prisoners held at Liberty Jail, struggled physically and emotionally throughout the four months of his incarceration. Yet the close companionship of the Prophet Joseph and the other prisoners afforded Baldwin remarkable opportunities for receiving counsel, training, and comfort. These were priceless gifts to the 47-year-old father of ten who often longed for his family during his four-month confinement.

Baldwin was arraigned in Richmond, Missouri, in late November 1838. During the hearing, Judge Austin A. King singled out Baldwin and offered him his freedom if he would renounce his religion and forsake the Prophet Joseph—an offer Baldwin rejected. The same deal was then made to the other detainees, all of whom "returned an answer similar to that of Mr. Baldwin."1 Judge King found sufficient probable cause to lock away several Latter-day Saint leaders. Of these, Joseph Smith, Hyrum Smith, Sidney Rigdon, Lyman Wight, Alexander



McRae, and Caleb Baldwin were to be taken to Liberty Jail in Clay County, as there were no jails in the counties where the alleged crimes occurred.

A four-month imprisonment in Liberty Jail was a daunting experience. Four-foot-thick stone walls, a six and one half-foot ceiling, and constant harassment by guards led Joseph and his companions to describe the structure as "hell surrounded with demons."2 Historian Dean Jessee notes that as word spread of the Mormon prisoners at Liberty, "The place took on some aspects of a zoo." Locals visited the jail in droves to gape at the prisoners, their taunts and jeers echoing through the stone walls. Hyrum Smith complained, "We are often inspected by fools who act as though we were elephants or dromedarys or sea hogs or some monstrous whale or sea serpents."3 Day after day, the men's faith was tested by the emotional sting of their imprisonment.

Perhaps most disheartening to the prisoners was knowing that the body of the Church, including their own families, were destitute and suffering. Driven before mobs, Church members were trying to find ways from Missouri into such neighboring states as Illinois. Baldwin, in particular, keenly felt the separation from his wife, Nancy, and their children. While the other inmates received periodic visits and letters reassuring them of their families' well-being, Baldwin received only one brief visit from his wife just before Christmas in 1838, and there is no record of further communication with her or their ten children for the next three months.4

The prisoners twice attempted to flee the jail, initially on February 6 and then on March 3, 1839, but watchful guards interfered. Twelve days after their final attempt, on March 15, the five men petitioned to be released for unlawful detention. Baldwin's two-page appeal evidenced his desperation to be reunited with his family, who had "been driven out of the state since his confinement without any means for their support." Baldwin had also learned that his son, Caleb, Jr., had been "beaten

nearly to death by Missourians with hickory sticks." Thus, having been detained "without the least shadow of testimony against him," Baldwin asked that the "high hand of oppression" be put down—and that he be acquitted and released. Nevertheless, sufficient evidence apparently existed to continue to hold Baldwin and the others.

Two days later, on March 17, Samuel Tillery, one of the jailers, inspected the dungeon and found an auger handle he believed the prisoners were using to drill through the thick walls. Tillery engaged twentyfive men to finish the search—and then ordered them to chain Joseph and the other prisoners to the floor. Having already bottled up three and a half months of stress, anguish, and frustration, Baldwin furiously rose to his feet, looked the jailer in the eye, and shouted, "Tillery, if you put those chains on me I will kill you, so help me God!"9 In the words of Hyrum, the jailer "soon calmed down and agreed to call again and settle the matter."10 While Baldwin's fiery threat ended plans to chain the prisoners, they were put under heavier guard.

On March 20, three days after the scuffle with Tillery, Baldwin was still on edge and wondering if he would ever see or hear from his family again. That very day, Joseph began dictating a letter that undoubtedly lifted Baldwin's spirits and those of his fellows. Alexander McRae scribed most of the letter addressed to "the church of Latterday saints at Quincy Illinois and scattered abroad and to Bishop [Edward] Partridge in particular," although Baldwin helped pen two of the letter's twenty-nine pages.

As noted by Dean Jessee and John Welch, the long text is a Pauline-like epistle wherein Joseph calls himself "a prisoner for the Lord Jesus Christ's sake" and declares that "nothing therefore can separate us from the love of God," echoing Paul's writings to the Ephesians and Romans. 11 Not only did the miraculous letter and its divine revelations bring comfort and hope to the five men in Liberty, it has since blessed and strengthened the minds, hearts, and spirits of millions of Latter-day Saints.

Eventually, following the prisoners' escape from captivity, Baldwin made his way to Quincy, Illinois, only to discover that his wife and children were still in Missouri. Knowing that a return for them would endanger himself, he nevertheless re-entered the state, located his family, and brought them back to the safety of Illinois. They settled in Nauvoo with the body of the Saints, and he remained passionately loyal to the Prophet Joseph.

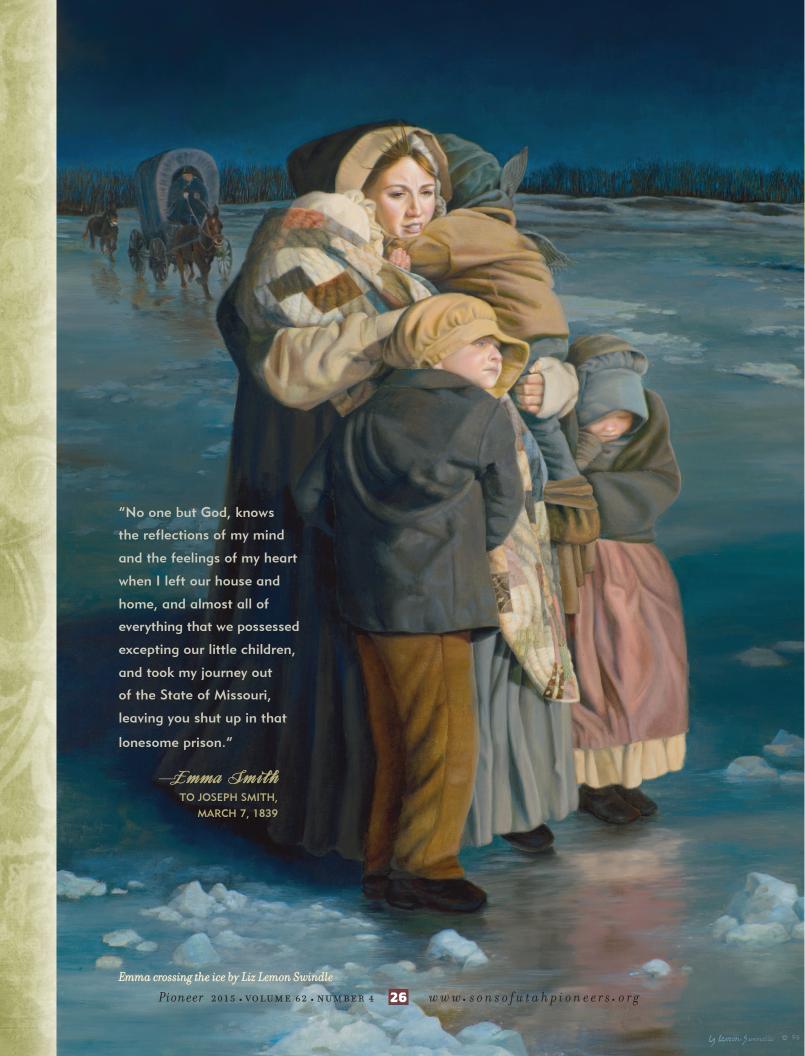
Caleb and Nancy Baldwin were among the first to receive their temple blessings in the Nauvoo Temple; they were endowed on December 18, 1845, and were sealed to one another the following month. 12 They apparently left Nauvoo in late 1847 or early 1848, staying temporarily in lowa (until June 1848) before joining a company led by Heber C. Kimball. Baldwin was appointed captain over a division of ten families within the company. 13 When Caleb Baldwin and his family arrived in the Salt Lake Valley on September 24, 1848,14 he was fifty-seven years old. The Baldwins settled in the Fifteenth Ward boundaries in Salt Lake City, where Caleb died less than a year

later on June 11, 1849, a devoted follower of Christ to the end.

This article is excerpted from the online article by Justin R. Bray, "Within the Walls of Liberty Jail" (at history. Ids.org); additional details are from Bray's article, "Caleb Baldwin: Prison Companion to Joseph Smith," Mormon Historical Studies, 11:2 (2010), 73–91 (at mormonhistoricsites.org).

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- 2 As cited in Dean C. Jessee, "'Walls, Gates and Screeking Iron Doors': The Prison Experience of Mormon Leaders in Missouri, 1838–1839," in Davis Bitton and Maureen Ursenbach Beecher, New Views of Mormon History (1987), 25.
- 3 Jessee, "Walls, Gates, and Screeking Iron Doors," 27.
- 4 Mary Audentia Smith Anderson, ed., Joseph Smith III and the Restoration (1952), 13–14.
- 5 Caleb Baldwin Petition, MS 24548, Church History Library, Salt Lake City, Utah (hereafter CHL).
- 6 John Gribble to George A. Smith, July 7, 1864, MS 1322, Box 6, Folder 11, CHL.
- 7 Caleb Baldwin Petition.
- 8 Jeffrey N. Walker, "Habeas Corpus in Early Nineteenth-Century Mormonism" *BYU Studies* 52, no. 1 (2013): 4–32.
- 9 Obituary of Caleb Baldwin, Journal History of The Church of Jesus Christ of Latter-day Saints, June 11, 1849, CHL.
- 10 Jessee, "Walls, Gates, and Screeking Iron Doors," 31.
- 11 Dean C. Jessee and John W. Welch, "Revelations in Context: Joseph Smith's Letter from Liberty Jail, March 20, 1839," *BYU Studies* 39, no. 3 (2000): 126. See Eph. 3:1 and Rom. 8:35.
- 12 Devery S. Anderson and Gary James Bergera, eds., The Nauvoo Endowment Companies, 1845–1846 (2005), 80, 438.
- 13 William Burton, Diary, CHL.
- 14 See Mormon Pioneer Overland Trail, 1847–1868, CHL.

Sketch by Annie Henrie.



# THE SAINTS'

# Forced Exodus from Missouri

1839

# BY WILLIAM G. HARTLEY,

Professor Emeritus of History, Brigham Young University

hile leaders and prominent men of the Church were languishing in Liberty and Richmond jails, some ten thousand Saints engaged in a mass exodus during the winter of 1838-39, many going to Quincy, Illinois. It was difficult, dramatic, sometimes harrowing, and only partly organized. Their tough experiences produced definite impacts—both short- and longterm—on Missouri and Illinois, on the course of the Church, and on individual members.1

The Saints' exodus from Missouri took place mostly during winter and involved four main arenas: Far West, Missouri; Quincy, Illinois; a road network between the two cities; and the west shore mudflats across the Mississippi River from Quincy.

## Ordered to Leave

On October 27, 1838, three days after Missouri and Mormon militias engaged in the Battle of

Crooked River, Governor Boggs issued his infamous extermination order. To his military leaders, it decreed, "The Mormons must be treated as enemies and must be exterminated or driven from the state, if necessary for the public good."2 Four days later, that order reached Church leaders and members in northwest Missouri. At the time, perhaps ten thousand Mormons were concentrated in two counties. Their chief settlement was Far West in Caldwell County. Far West had a population by then of about five thousand Saints, and another five thousand lived in at least nineteen other Latter-day Saint communities in Caldwell County. In Daviess County on Caldwell County's north side, Saints had begun building about 150 log houses at Adam-ondi-Ahman, and as many as 1,500 Saints in total lived in Daviess County.3

November 1 brought heartbreak for all Saints in Far West. All men in the city had to surrender "The Mormons
must be treated
as enemies
and must be
exterminated
or driven from
the state, if
necessary for the
public good."

–Lilburn W. Boggs



their arms. The next day, Missouri troops brought Joseph and Hyrum Smith and five other prisoners into town in wagons to pick up personal effects and say good-bye. Then three hundred militiamen escorted them away to face trial and prison. That same day Latter-day Saint men were assembled at the town square at bayonet point and, one by one, signed deeds that gave their land to the state of Missouri to pay the costs of the "Mormon War." On November 6, soldiers took more prisoners and then ordered all Saints out of Missouri by spring.4 Meanwhile, a militia force headed to Adam-ondi-Ahman, made the Mormons there surrender, and on November 10 gave them ten days to relocate to Far West or elsewhere in Caldwell County.5

# Mormon Militiamen Escape First

Out of necessity, Mormon militiamen were the first to leave—or rather escape. John Lowe Butler and wife Caroline, converts in Kentucky three years earlier, lived in Mirabile, just south of Far West, with their four children. John had fought off Missourians trying to block Mormons from voting. He rode with the Mormon militia who fought in

the Battle of Crooked River. Because the Missouri militia wanted to arrest him, he fled from home on November 2, leaving Caroline and the children to fend as best they could. Slipping through "the guard," he had to cross a creek by taking off his clothes and wading across the "bitter cold" water. John. fellow Kentuckian David Lewis, and Elias Higbee were among dozens of Mormon militiamen who fled from Missouri in November, following primitive roads from Far West to Quincy, a distance of about 180 miles. They formed the first wave of the exodus.6

# **Hard Winter of Waiting**

During November 1838, Latter-day Saint settlements in Caldwell and Daviess counties endured a military occupation. "We were not permitted to leave Far West," Anson Call said, "only to get our firewood. We had not the privilege of hunting our cattle and horses."7 Newel Knight noted that because the Saints were unarmed, they became prey for small parties of armed men "insulting our women, driving off our stock, and plundering." To him "it seemed as though all hell

> was aroused to do us injury."8 By late November, most crops around Far West were unharvested, and potatoes still in the ground were "frose solid." Soldiers "rifled" through homes, Albert Rockwood said, and "our sheep & hogs, & horses [are] drove off before our eyes by the Missourians who come in small companies well armed."9

Far West was ill equipped to become a refugee center for Saints displaced by Missouri militia. Food was scarce and housing inadequate. Those coming from outside Far West suffered because, as John Greene wrote, "We have been robbed of our corn, wheat, horses, cattle, cows, hogs, wearing apparel, houses and homes, and indeed, of all that renders life tolerable."10





Two families moved in with Newel Knight's family. "Many could not get into houses," Newel said, "and had to take shelter in wagons, tents, and under bed-clothes and while in this situation we had a severe snow storm, which rendered their suffering intense." An acre of land in front of Lucy Mack Smith's home became "completely covered with beds, lying in the open sun, where families were compelled to sleep, exposed to all kinds of weather." Houses in Far West were so full, Mother Smith said, that people could not find shelter. "It was enough to make the heart ache to see the children, sick with colds, and crying around their mothers for food, whilst their parents were destitute of the means of making them comfortable."11

#### **Committee for Removal**

Hundreds lacked the means to leave Missouri. "Many were stripped of clothing and bedding," John P. Greene reported, and "many without cattle, horses, or waggons, had no means of conveyance." To provide them help required leadership. On January 16, the imprisoned First Presidency sent instructions to Heber C. Kimball and Brigham Young that said, "Inasmuch as

we are in prison, . . . the management of the affairs of the Church devolves on you, that is the Twelve."

Brigham Young was the senior Apostle--and hence the presiding Church officer among the Saints. Far West citizens gathered in a public meeting on January 26 to consider measures to expedite the move out of state, given the "extreme poverty of many" and thus the "seeming impossibility" of following Boggs' orders."13 A seven-man committee was appointed to find out how many needed help and how much help others members could give to those in need.14 A second meeting on January 29 heard a partial report from the committee, after which Brigham Young proposed that Saints covenant "to stand by and assist to the utmost of our abilities in removing from the state, not abandoning the poor who are worthy" until all were safely out of Missouri. Nearly three hundred made that covenant and signed pledges.15

William Huntington headed up the Committee of Removal. The committee surveyed needs and weighed requests for help. They collected donations of furniture, farm implements, and money from farm sales. <sup>16</sup> They

Because the Saints were unarmed, they became prey for small parties of armed men "insulting our women, driving off our stock, and plundering. . . . It seemed as though all hell was aroused to do us injury."

—Newel Knight FAR WEST, 1838 Sketch by Annie Henrie



sent agents eastward to leave stores of corn for Saints to use along the way; these men also contracted for ferries and ensured security for the travelers.17 Saints used existing roads as much as possible, although some took detours to avoid problems with local residents or to avoid being recognized. An upper route ran directly east; a lower route ran southeast. Both routes merged southwest of the town of Palymra, twenty miles south of Quincy. From there, refugees had to cross rivers and mudflats to reach the

Artwork by Julie Rogers

Mississippi shore opposite Quincy.18

On February 12 Young and Huntington appointed Theodore Turley to "superintend the management of the teams provided for removing the poor." The plan was for some wagons to go east, unload passengers and belongings at the Mississippi, and then return empty to help others move out. On February 19 the committee sent Charles Bird to Caldwell County and William Huntington to Far West to determine how many families still needed assistance to move and to solicit means to help them.<sup>19</sup> With Joseph Smith's approval, leaders in Far West decided to sell Church properties in Jackson County to help raise money for the exodus. Also, three men were sent to locate possible settlement sites up the Mississippi River in Illinois.<sup>20</sup>

#### **Getting Out of Missouri**

Saints had until late March to vacate Missouri, but they started leaving in earnest during January. Five reasons best explain why Saints moved during winter conditions: (1) by January, armed patrols were showing up and threatening the Saints, so in the January 26 public meeting the people agreed

to begin moving immediately; (2) the Saints had been told that Joseph Smith would not be released from prison until they all had left Missouri, so the sooner that happened, the better;<sup>21</sup> (3) individuals were running out of food and supplies; (4) in February, Far West experienced some stretches of weather that seemed favorable for traveling; and (5) wagons going to Illinois and then returning to take others needed four to six weeks to make the two trips before the late March deadline.

The exodus had no large, organized wagon trains. Refugees moved whenever they were ready—individually or as families or in small clusters of wagons. As one refugee said, those who moved during the winter traveled "in colde weather thinly clad and porly furnished with provisions."<sup>22</sup> Women without their husbands had harder times of it than those with husbands.

During February the migration became more intense. The John Murdock family left on February 4 without "any team or animal or carriage of any kind." They put Mrs. Murdock and the household furniture in a Brother Humphrey's wagon. John and his son Orrice walked. Three days later they reached De Witt, where they sold a property deed

and bought a yoke of steers for \$25 and a wagon for \$30. They restarted on February 14 and reached the Mississippi two weeks later, on March 1, where they camped and waited for more than a week.<sup>23</sup>

Stephen Markham, a member of the Committee of Removal, helped Emma Smith's family leave on February 7. Markham's party reached the bank of the Mississippi in eight days and found the river frozen over. Emma crossed the ice carefully, walking apart from the wagon. She carried two children while two others hung on to her skirt. Tied to her waist were heavy bags containing Joseph's papers.<sup>24</sup> Brother Markham then drove the wagon back to Far West to bring others out.

Brigham Young, in danger from anti-Mormons, joined the exodus on February 14. He helped shepherd Saints across Missouri by "advancing with one part of the camp as rapidly and as far as possible" and then returning with the teams to move others out.<sup>25</sup> Elder Heber C. Kimball sent his family with the Youngs. "I fitted up a small wagon, procured a span of ponies, and sent my Wife and three children, in company with Bro. Brigham Young and his family, with several others," Kimball said. "Every thing my family took with them out of Missouri, could have been packed on the backs of two horses; the mob took all the rest."26

Newel Knight had a wagon but no team. So, he said, "Sold my cook stove and the only cow the mob had not killed." With that money he hired a man with a team to drive him, Lydia, and their three children east. They pulled out of Far West on February 18, leaving behind a house and farm. At Huntsville, the driver said his horses could not go on, so the Knights unhitched the wagon and camped. Newel prayed for help, for "I knew not how to extricate myself but as I had never been forsaken by my Heavenly Father I committed myself and family into his care." For a week they were stranded, but finally a man asked his son to drive the Knights the rest of the way.

On February 19 or 20, Joseph Smith's parents, Joseph, Sr. and Lucy, finally joined the exodus. "After a long time," Mother Smith said, "we succeeded in getting one single wagon to convey beds, clothing, and provisions for our family. Her son, Don Carlos, and his family and possessions "were crowded into a buggy, and went in the same company" with Lucy and Joseph Smith, Sr. They encountered continuous rains and had to travel through mud. Lucy wrote "When we came to within six miles of the Mississippi river, the weather grew colder, and, in the place of rain we had snow and hail." Her son Samuel came from Quincy and arranged for a ferryman to take the Smith party across. "About sunset we landed in Quincy," Lucy said. "Here Samuel had hired a house and we moved into it, with four other families."27

# **Quincy's Compassion**

On February 23, the Quincy *Whig* reported that Saints were

"There was an acre of ground in front of our house, completely covered with beds, lying in the open sun, where families were compelled to sleep exposed to all kinds of weather. These were the last who came in to the city; and, as the houses were all full, they could not find a shelter. It was enough to make the heart ache to see the children, sick with colds and crying around their mothers for food, whilst their parents were destitute of the means of making them comfortable."

—Lucy Mack Smith

FAR WEST, 1838



"coming in from all quarters" and that "for several days they have been crossing at this place, bringing with them the wreck of what they could save from their ruthless oppressors. . . . They appear, so far as we have seen, to be a mild, inoffensive people, who could not have given cause for the persecution they have met with."

City leaders and residents suddenly had to deal with a humanitarian crisis thrust upon them. On February 25, Quincy leaders met and adopted measures to provide relief. They asked a committee of Latter-day Saints to provide them facts about the needy. "Give us employment," the Saints pleaded, "rent us farms, and allow us the protection and privileges of other citizens."

The Quincy citizens' committee passed a resolution which said that the Saints "are entitled to our sympathy and kindest regard." Any Saints who because of sickness or destitution found themselves homeless, the committee decided,

should appeal directly for assistance. Further, the committee agreed to find employment for those able and willing to labor.<sup>28</sup> In its March 2 issue, the Quincy Whig termed the Saints crossing the Mississippi River "objects of charity." Because they had been "thrown upon our shores destitute, through the oppressive people of Missouri, common humanity must oblige us to aid and relieve them all in our power."29

On March 5, Bishop Partridge reported from Quincy to Joseph Smith, "The people here receive us kindly" and "are willing that we should enjoy the privileges guaranteed to all civil people without molestation."30

# Completing the Exodus

Assigned by the Committee of Removal, David Rogers visited Jackson County on March 15, sold Church properties, raised some \$2,700, and brought the funds to Far West by mid-April.<sup>31</sup>





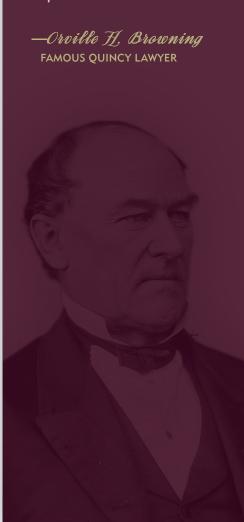
"In consequence of the sale of Lands in Jackson County," William Huntington, head of the Committee of Removal, said, "We ware able to remove All the poor who had a desire To leave the state" by April 13, the day he left Far West. Isaac Laney said the committee had moved all but thirty or forty families when armed men from Daviess County ordered him and others to be "out of the County by the next Friday night which was giving us Six dayes for to do that that Requird a month." So the committee urgently hired teams and sent families to Tenney's Grove, twenty miles away, with a minimum of personal belongings. A number of teams arrived from Illinois to help move the last families.32

By mid-April, the mobs lost patience with the Saints still in Caldwell County. On April 18, when a group of anti-Mormons found Heber Kimball at the public square, they threatened him and tried to ride over him with their horses. He went to the room where the Committee of Removal was meeting and told them to wind up affairs and "be off" to save their lives. Shortly, twelve mobbers with rifles entered the

tithing office and broke windows, tables, chairs, and "seventeen clocks into matchwood." The men gathered up what they could and hastily fled from Far West within the hour. After they left, the mob plundered thousands of dollars' worth of property donated to help the poor move. During the vandalism spree, "a great portion of the records of the committee, accounts, history, etc. were destroyed or lost."

In July 1838, Joseph Smith had received a commandment for the Twelve to leave for missions on April 26, 1839, from the Far West temple site (D&C 118:4-6). Anti-Mormons had vowed to keep that ceremony from happening. On April 18, 1839, members of the Twelve left Quincy to travel secretly to Far West. On April 24 they met three members of the Committee of Removal who had just been driven from Far West and who also joined them. The Apostles' group arrived at the temple site soon after midnight on April 26. In addition to the Apostles, six members of the Committee and about a dozen other members were present. A stone weighing about a ton was rolled to the southeast corner of the site. The five Apostles who

"Great God! have I not seen it? Yes, my eyes have beheld the bloodstained traces of innocent women and children, in the drear winter, who had traveled hundreds of miles barefoot, through frost and snow, to seek a refuge from their savage pursuers."



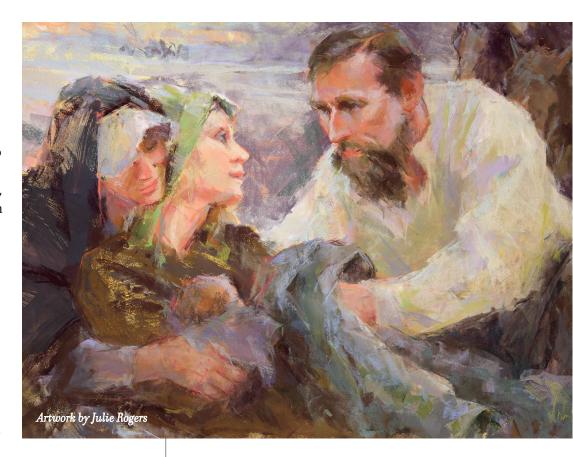
were present—Brigham Young, Heber C. Kimball, Orson Pratt, John E. Page, and John Taylor—ordained Wilford Woodruff and George A. Smith as Apostles and two men who had just been liberated from the Richmond prison, Darwin Chase and Norman Shearer, as seventies. The Twelve then offered kneeling prayer at the southeast cornerstone, sang "Adamondi-Ahman," and dismissed. They had fulfilled the commandment.34

In the dark the numbers reached Tenney's Grove and there added to their group the "last company of the poor" needing help to reach Quincy.<sup>35</sup> At

that point, Brigham Young felt that the Church obligations to move the poor Saints had been fulfilled: "We had entered into a covenant to see the poor Saints all moved out of Missouri to Illinois, that they might be delivered out of the hands of such vile persecutors, and we spared no pains to accomplish this object until the Lord gave us the desires of our heart. We had the last company of the poor with us that could be removed."<sup>36</sup>

Excerpts from William G. Hartley, "The Saints' Forced Exodus from Missouri," in Joseph Smith, the Prophet and Seer, ed. Richard Neitzel Holzapfel and Kent P. Jackson (Provo, UT: Religious Studies Center, Brigham Young University; Salt Lake City: Deseret Book, 2010), 347–90.

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14 John Taylor, Alanson Ripley, Brigham Young, Theodore Turley, Heber C. Kimball, John Smith (the Prophet's uncle), and Don C. Smith (the Prophet's brother).

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26 Heber C. Kimball Journals, 1838–1839, in Larry C. Porter, "Brigham Young and the Twelve in Quincy: A Return to the Eye of the Missouri Storm, 26 April 1839," in *A City of Refuge: Quincy, Illinois*, ed. Susan Easton Black and Richard E. Bennett (Salt Lake City: Millennial Press, 2000), 134.

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33 Smith, *History of the Church,* 3:322–23.

34 Porter, "Brigham Young and the Twelve," 141–49.

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36 Manuscript History of Brigham Young, Church History Library, 28.

"Ye sons and daughters of benevolence whose hearts are tuned to notes of sympathy, who have put forth your liberal hand to meet the urgent want of the oppressed and the poor. No laurel branch nor cypress bough will wave in graceful dignity about your heads to tell in speechless eloquence what you have done."

*—Eliza Q. Snow* tribute to quincy



## The Mormon Tabernacle Choir **Pays Tribute to Quincy**

July 5, 2002, Quincy, Illinois



"We shall always be grateful for the kindness, the hospitality, the civility with which your people met our people who were exiles from the state of Missiouri."

> **PRESIDENT GORDON B. HINCKLEY**

he Mormon Tabernacle Choir gave a rare benefit concert [in Quincy] to say thank you for kindness extended [176] years ago by the citizens of Quincy to Latter-day Saints fleeing religious persecution during the winter of 1839. \$75,000 in concert proceeds [benefited] the Quincy Area Community Foundation....

"'We shall always be grateful for the kindness, the hospitality, the civility with which your people met our people who were exiles from the state of Missouri,' President Gordon B. Hinckley said. 'I express my gratitude to those who are successors of those who were here long ago and say thank you with all of our hearts.' . . .

"The sellout crowd of 2,200 . . . filled the Morrison Theater at Quincy Junior High School. After several standing ovations, the choir concluded with its signature rendition of 'The Battle Hymn of the Republic.' . . .

"Near the conclusion of the performance that featured sacred and popular songs as well as choral mas-

> terworks, choir announcer Lloyd Newell read a moving tribute to the generosity of early Quincy citizens. In part, it said, 'Quincy bears a legacy of mercy that ripples down the centuries, reminding us that the milk of human kindness is always more powerful than force or fury.'

"In 1839 . . . in an extraordinary act of

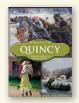
humanitarian service, Quincy's 1,500 residents sheltered and assisted more than 5,000 Latter-day Saint refugees.

. . . "Arriving refugees needed accommodations and jobs. Quincy citizenry provided both. Despite snowstorms, Quincy citizens repeatedly rescued Latter-day Saints stranded without adequate food or clothing on the Missouri side of the river. One observer at the time noted that the citizens 'donated liberally, the merchants vying with each other as to which could be the most liberal.'

"Local groups in Quincy interacted with Church leaders and representatives to carry out successful philanthropic activities. They provided jobs and donations of cash, clothing and provisions to needy Latter-day Saint refugees. They raised money locally and signed endorsements authorizing fundraisers in St. Louis and New York City.

"A Latter-day Saint historian has described Quincy's aid to the beleaguered Latter-day Saints as 'a lasting example of benevolent people extending help to those in need."

Excerpts from "Quincy," at www. mormonnewsroom.org/article/quincy

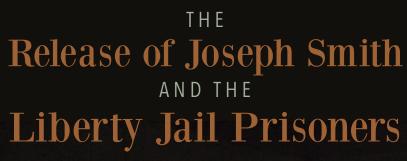


We wish to give special appreciation for the contributions made by Dennis C. Lyman and Glenn Rawson of History

of the Saints. For more information, see the outstanding DVD "Quincy: A Rescue Never to Be Forgotten," available at historyofthesaints.org.



Photos by Jeffrey D. Allred, Deseret News



FROM MISSOURI, APRIL 1839



#### BY ALEXANDER L. BAUGH

Professor, Church History and Doctrine, Brigham Young University

Then Joseph Smith, his brother Hyrum, Caleb Baldwin, Alexander McRae and Lyman Wight were removed from the jail in Liberty, Missouri, on April 6, 1839, they had no idea they would be free men in less than three weeks. The five men had been in state custody for about five months; and for four of those months (127 days), they had languished in the loathsome Liberty Jail while their families and friends had relocated to the safety of Illinois. A strong guard now had them in custody and were assigned to transport them to Gallatin in Daviess County for what was

expected to be a formal hearing on the charge of treason against the state of Missouri. The Gallatin hearing, the release of Joseph Smith and his companions, and their flight across northern Missouri to western Illinois comprise a concluding chapter to Missouri's "Mormon Wars."

On January 25, 1839, the inmates of Liberty Jail had been permitted a hearing before Clay County magistrate Judge Joel Turnham. Following the hearing, Turnham released Sidney Rigdon, but recommitted Joseph and Hyrum Smith, Baldwin, McRae, and Wight to jail in Liberty pending notice to appear before a grand jury in Daviess County. Notification of the Daviess County hearing was slow in coming, arriving only days before the

men's April 6 release. On that Saturday morning the Clay County guard, under the direction of the county sheriff, Samuel Hadley, left Liberty bound for Gallatin with the Mormon Prophet and his four fellow prisoners.¹ Peter H. Burnett and Amos Rees, two attorneys employed by the defendants, went along as counsel.² The group made good time and distance the first day, traveling about 24 miles to Plattsburg in Clinton County, where they spent the night. On April 7, after traveling another 25 miles, they stopped and spent the night at the home of a woman named Taylor, who probably resided near Far West in Caldwell County.³

On April 8, the company had traveled about 19 miles when they were met by William Morgan,

A hostile group of men... rushed upon them, cursing, swearing, and threatening to kill them. Unruffled, Joseph Smith was permitted to speak and quieted the crowd. "We are in your hands; if we are guilty, we refuse not to be punished by the law."



the Daviess County sheriff, who took custody of the prisoners and allowed the Clay County guard to return.4 The prisoners, accompanied by their new guard, traveled the remaining mile into Gallatin, arriving in early afternoon. Hyrum Smith recorded that they were met by a large number of local town folk, "gazing & gaping [and] straining their eyes to see us." Following a midday meal, they were taken to the cabin home of Elisha B. Creekmore about a mile south of town. Among the handful of Gallatin cabin structures burned by Mormons in October 1838 at the height of the Mormon-Missouri conflict was the structure serving as the Gallatin Court House. Because no replacement structure had been built, the Creekmore cabin would be the site of the formal trial set to convene the following day.<sup>6</sup> At night the cabin would double as the sleeping quarters for the Mormon prisoners and their attorneys and guard.7

The prisoners were met at the Creekmore home by a hostile group of men who rushed upon them, cursing, swearing, and threatening to kill them. Unruffled, Joseph Smith was permitted to speak and quieted the crowd. "We are in your hands," he said; "if we are guilty, we refuse not to be punished by the law." Hearing this, William Peniston and William McKinney, bitter enemies of the Mormons, spoke to the people. "Yes, gentlemen, these men are in our hands; let us not use violence, but let the law have its course; the law will condemn them, and they will be punished by it; we do not want the disgrace of taking the law into our own hands."8 Joseph Smith's assurance that he would submit to the rule of the courts, and Peniston and McKinney's belief that justice would prevail, had a conciliating effect upon the Daviess ruffians, and order was restored. The Prophet and his prison companions spent the rest of the day in counsel with their attorneys, Burnett and Rees.9

The Creekmore cabin was not large—only about twenty-five feet square. Yet it provided much better sleeping accommodations than what the prisoners had endured in Liberty Jail. Hyrum Smith noted that this was the first time he had slept in a bed in five months. <sup>10</sup> However, the prisoners did not get much restful sleep during their nights in Gallatin. The guards stayed up most of one night drinking, playing cards, and cursing. On another evening they hooted

and hollered until morning, and no one slept at all.<sup>11</sup> Because of the constant clamor, Joseph Smith and Lyman Wight engaged in lengthy conversations, not only with each other but with a number of visitors. "By consent of the prisoners, many of the citizens of Davis [*sic*] came into the room, and conversed with them hour after hour during most of the night," Burnett recalled. Among the visitors were two ministers who came to engage the Mormon Prophet in a theological argument. However, Joseph Smith foresaw their objections and subsequently silenced them.<sup>12</sup>

Perhaps not surprisingly, the Prophet's mild-mannered temperament, cheerful disposition, and colorful personality helped him gain the friendship of the Daviess County citizenry. Attorney Burnett wrote that Joseph "had great influence over others"—and that at the end of the hearing, "just before I left to return to Liberty, I saw him out among the crowd, conversing freely with everyone, and seeming to be perfectly at ease. In the short space of [four] days he had managed so to mollify his enemies that he could go unprotected among them without the slightest danger."<sup>13</sup>

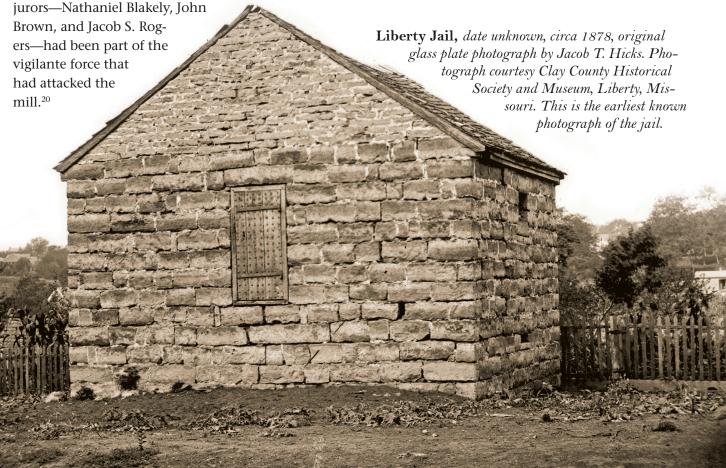
On Tuesday, April 9, the day after Joseph and the others arrived in Gallatin, the hearing convened before Judge Thomas C. Burch and a grand jury. Burch, a district attorney, had been the chief prosecuting attorney against the Mormons during the Richmond Court of Inquiry in November and had been appointed by Circuit Court Judge Austin A. King to adjudicate the case. Having prosecuted the earlier hearing, Burch was well aware of the charges being brought against the Mormon leaders.14 Other officers of the court were Robert Wilson, the county clerk, who acted as the court recorder, and Robert P. Peniston Jr., who was selected as jury foreman. The twenty men who made up the grand jury were a variegated mix of frontier characters; among them, according to Hyrum Smith, were the very men who guarded the prisoners during the night.15 At times, some jurors were so drunk that they were temporarily removed from the proceedings.16 Despite such challenges, the Mormon defendants were pleased when Josiah Morin arrived to witness the trial. Morin, who had previously served as a Daviess

County judge, had befriended Joseph Smith and was sympathetic to the Mormon cause. He likely assisted and advised the defendants' attorneys in the case.

Because no formal records of the actual court testimony are known to exist, what transpired during the proceedings is difficult to determine. However, a few short lines in Hyrum's diary reveal that the evidence presented on the first day may have focused on some of the destructive activities of the Mormons in Daviess County in October 1838.<sup>17</sup> April 10, the second day of the hearing, was spent in the examination of witnesses, only one of whom is mentioned by name in the historical sources— Sampson Avard, the noted Mormon Danite leader.<sup>18</sup> Hyrum Smith's diary under this date lists the names of the Mormons who were killed or wounded at the Hawn's Mill Massacre in Caldwell County on October 30, 1838.19 The defense was probably using the incident as evidence that the Missourians had committed crimes against the Mormons. Such testimony would have been sensitive, given that at least three of the men who were sitting as

The examination of witnesses continued through April 11, the third and final day of the hearing. The only witness listed in the official record is Stephen Markham, who spoke in behalf of the defense. Markham's testimony must have incriminated jurist James Blakely. Following an adjournment, Blakely physically assaulted Markham. Fearing that he would be attacked on leaving Gallatin, Markham spent the night with the prisoners, arose early, and made a safe getaway.<sup>21</sup>

At the conclusion of testimony on April 11, the defense petitioned Judge Burch to recuse himself from the case, given his role as prosecuting attorney against the defendants at the Richmond hearing in November, 1838.<sup>22</sup> The defense counsel also requested a change of venue to Marion County on the eastern border of the state and adjacent to Adams County, Illinois, where the majority of the Saints had relocated.<sup>23</sup> Burch did recuse himself, but ordered the change of venue to Columbia, Boone County, in the center of the state.<sup>24</sup> The Daviess County guard assigned by Burch to take the prisoners to Columbia included Sheriff William Morgan,



past sheriff William Bowman, John Brassfield, John Pope, and Wilson McKinney.25

Around two o'clock on the afternoon of Wednesday, April 12, the party left Gallatin. The Daviess guards were on horses, while the five prisoners rode in a two-horse wagon. The company did not immediately begin the hundred-mile journey to Boone County, but made a five-mile detour to the north, likely so that Morgan and Bowman could stop by their respective cabins and get outfitted for the journey. When rains came the following day, the short detour turned into a two-night layover.26

On Sunday, April 14, the company set out once again, but traveled only as far as Millport, a distance of seven miles, where they stayed at the home of Josiah Morin, the ex-judge of Daviess County who had befriended Joseph Smith. During the following two days, the company traveled east into Livingston County via the main road connecting Gallatin and Chillicothe on the north side of the Grand River, and then on into Chariton County. On April 16, they stopped for the night at a location near Yellow Creek<sup>27</sup>—and here the prisoners were allowed to escape.<sup>28</sup> Sheriff Morgan informed Lyman Wight "that he wished to God he was at home, and your friends also," then added, "By G\_, I shall not go much further."29 Hyrum Smith testified that Morgan told them that Judge Burch instructed him "never to carry us to Boone County." Morgan and another guard provided them with two horses and then helped them load the animals with their belongings.30 Joseph wrote, "The guard got intoxicated, [and] we . . . took the advantage of the situation . . . and took our departure."31 In recounting the event four years later, Hyrum stated, "We took our change of venue to the state of Illinois."32

Contemporary sources clearly indicate that when the officers informed the Mormon prisoners that they intended to release them, Joseph and his companions were also induced to make some sort of payment in exchange for their freedom. During their two-day layover at Bowman's cabin in Diahman, the prisoners had made arrangements

Peter Hardeman Burnett, circa 1860. Burnett acted as the chief counsel to the Liberty Jail prisoners at the Gallatin hearing in April 1839. Burnett later served as the first governor of California.

to secure the two horses used in their transport. Hyrum Smith stated that they gave a note for one animal and some clothing for another.<sup>33</sup> Joseph H.

McGee, a Gallatin resident, wrote that it was John Brassfield who made the arrangements to provide the horses for the Mormons.34

**T**n February 1843, nearly four years after Joseph **▲**Smith and his cellmates had fled Missouri, John Brassfield (and perhaps others of the guard) traveled to Nauvoo and received the remainder of his remuneration. On February 28, 1843, the Prophet's history states that he spent the day with his mother and family and "Mr. John Brassfield, with whom I became acquainted in Missouri."35 As has been discussed, the actions of Morgan, Bowman, and the other guards indicate that they had no intention of delivering the Mormon prisoners to Boone County, but had in fact been instructed by Judge Burch to release them at some appropriate time and place. Thus, prior to their departure, the guards had predetermined that they would let the prisoners go. Given such intentions on the part of the Daviess officers, it cannot be construed that the Mormon prisoners bribed the guard, but rather agreed to their terms.

On the night of April 16, the five men wasted no time in getting away, and although they traveled all night, not stopping until about noon the following day, they did not travel quickly, given that they had only two horses among the five of them. Most of the time this meant that only two could ride, while the other three would have to keep up as best they could walking. Joseph was one of the first to take his turn going on foot. "When we escaped," he later remarked, "I jumped into the mud, [then] put on my boots without working [them on] and when I got to water after going over 15 miles [of] prairie my boots were full of blood."36



Exactly when Morgan, Bowman, and the three other guards arrived back at Gallatin is not certain. Morgan reported to the citizens that the prisoners had escaped during the night, taking the horses, and that a search had proved unsuccessful. But the explanation did not sit well with some of the local citizens, who accused Morgan and Bowman of abetting the Mormon prisoners' so-called escape. The angriest among them singled out Bowman, perhaps because he was specifically entrusted with safeguarding the prisoners, tying him to a steel rail and dragging him through the streets. Tragically, the injuries he incurred from this ordeal led to his death a short time later.<sup>37</sup> With his reputation tarnished as a result of the incident, Morgan left the county.<sup>38</sup>

The route that Joseph Smith and his companions traveled from Yellow Creek, Missouri, to Quincy, Illinois, cannot be determined precisely. However, they probably traveled due east through Chariton, Randolph, and Monroe Counties, then traversed in a northeasterly direction through Marion County before arriving at the Mississippi crossing, opposite Quincy. Joseph's diary entry for April 22, the day of his return to the body of the Saints, states simply, "I arrived in Quincy, Illinois, amidst the congratulations of my friends, and the embraces

of my family."<sup>39</sup> Hyrum and Lyman Wight arrived around six pm that same day; Baldwin and McRae would return sometime after that. ▼

- 1 Hyrum Smith, Diary, April 1839, manuscript, 23, 26, Church History Library, Salt Lake City, Utah, hereafter cited as CHL.
- 2 Peter H. Burnett, An Old California Pioneer by Peter H. Burnett, First Governor of the State (1946), 39.
- 3 Smith, Diary, 23-4.
- 4 Manuscript History of the Church, vol. C–1, 914, CHL; also in Joseph Smith Jr. *History of the Church of Jesus Christ of Latter-day Saints*, ed. B.H. Roberts, 2d ed., rev., 7 vols. (Salt Lake City: Deseret Book, 19710, 3:309; hereafter cited as *History of the Church*.
- 5 Smith, Diary, 24-5.
- 6 Joseph Hedges McGee, "The Mormons in Missouri: Personal Recollections of Maj. Joseph H. McGee of Gallatin—Why the Mormons Were Forced to Leave the State," *St. Louis Globe Democrat*, November 27, 1898.
- 7 Burnett, Old California Pioneer, 39.
- 8 Alexander McRae to the Editor, November 1, 1854, in "Incidents in the History of Joseph Smith," *Deseret News Weekly*, November 9, 1854, 1.
- 9 Smith, Diary, 25.
- 10 Smith, Diary, 29.
- 11 Smith, Diary, 26, 29.
- 12 Burnett, Old California Pioneer, 39.

- 13 Burnett, Old California Pioneer, 40.
- 14 Sidney Rigdon, Affidavit, in Mormon Redress Petitions: Documents of the 1833-1838 Missouri Conflict, ed. Clark V. Johnson (1992), 679; also in History of the Church, 3:463.
- 15 Proceedings of the Grand Jury of Daviess County, April 2, 1839, Missouri, Boone County Circuit Court Records, Indictment Case No. 1362, folder 1, manuscript 2, Joint Collection, University of Missouri and State Historical Society of Missouri, Ellis Library, Columbia Missouri; Smith, Affidavit, in Mormon Redress Petitions, 637; also in History of the Church, 3:422.
- 16 Wight, Affidavit, Mormon Redress Petitions, 664; also in History of the Church, 3:449.
- 17 Smith, Diary, 27.
- 18 Manuscript History of the Church, vol. C-1, 914.
- 19 Smith, Diary, 27-29.
- 20 Alexander L. Baugh, A Call to Arms: The 1838 Mormon Defense of Northern Missouri (2002), 203, 204, 208.
- 21 Smith, Diary, 30; see also History of the Church, 3:314-16.

- 22 Proceedings of the Grand Jury of Daviess County, 2.
- 23 Smith, Affidavit, Mormon Redress Petitions, 638; also in History of the Church, 3:423.
- 24 Daviess County, Court Order, 1839, manuscript copy, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University, Provo, UT (hereafter cited as Perry Special Collections); see also Proceedings of the Grand Jury of Daviess County, 2.
- 25 The State of Missouri Order of Commitment—Caleb Baldwin and Others, manuscript copy, Perry Special Collections.
- 26 Smith, Diary, 31.
- 27 Wight, Affidavit, Mormon Redress Petitions, 664.
- 28 Manuscript History of the Church, vol. C-1, 921; Smith, Diary, 32; and Lyman Wight, "History of Lyman Wight," Deseret News, August 25, 1858, 109.
- 29 Wight, Affidavit, Mormon Redress Petitions, 664; also in History of the Church, 3:449.

- 30 Smith, Affidavit, Mormon Redress Petitions, 638; also in History of the Church, 3:423.
- 31 Joseph Smith Jr., "Extract, from the Private Journal of Joseph Smith Jr.," Times and Seasons, November 1839, 7.
- 32 Smith, Affidavit, Mormon Redress Petitions, 638; History of the Church, 3:423.
- 33 Smith, Affidavit, Mormon Redress Petitions, 638; History of the Church, 3:423.
- 34 McGee, "The Mormons in Missouri."
- 35 Manuscript History of the Church, vol. D-1, 1684; also in History of the Church, 5:290.
- 36 Joseph Smith, Diary, December 30, 1842, manuscript, CHL.
- 37 Joseph H. McGee, Story of the Grand River Country, 1821-1905: Memoirs of Maj. Joseph H. McGee (1909), 13.
- 38 McGee, Story of the Grand River Country, 13.
- 39 Manuscript History of the Church, vol. C-1, 924; also in History of the Church. 3:327.

one day after date we promis to pay John Broffield one hundred and lifty Gollard for value receive lifty Gollard for value receive Lifty Hiver isheer my hand and Seal This 16 th Day of hoppil 1839

Promissory Note to John Brassfield, April 16, 1839 (Joseph Smith Collection, Church History Library, Salt Lake City, UT). Joseph Smith purchased at least one horse, and possibly a second, from Brassfield—one of the guards who accompanied the Liberty Jail prisoners as far as Yellow Creek in Livingston County where they were released. Brassfield later came to Nauvoo to receive payment from Joseph Smith. The lower right portion of the note containing Joseph Smith's signature (and possibly others) was removed, which indicates payment on the note was made.

# THE TUTELAGE OF A Flumble Prophet of God

BY KEITH LAWRENCE Pioneer Editorial Board

erhaps the best-known letter ever dictated by the Prophet Joseph Smith, and certainly the most famous of the Liberty Jail experience, the two-part letter (transcribed March 20 through 25, 1839, by Alexander McRae and Caleb Baldwin) was addressed to the Church and its bishop, Edward Partridge. In structure and intent, this was a very public letter, one speaking crucial instruction and profound comfort to every member, past or future, of the restored Church of Jesus Christ.

But it was also an intensely private record of the tutelage of a humble prophet of God. Early in the letter, the Prophet Joseph enumerated the many wrongs suffered by the Church and then declared that "the conduct of the mob, the murders committed at Haun's Mill, the exterminating order of the Governor, and the one-sided, rascally proceedings of the Legislature has damned the state of Missouri to all eternity." The Prophet and his four companions were at the end of their patience and forbearance, longing for "the arm of God to be revealed," for their captors and persecutors to be punished, for wrongs to be made right.

In response to his pleading "O God, where art thou?" Joseph received a marvelous lesson about reasons for priesthood power and about the appropriate exercise of priesthood authority. "No power or influence can or ought to be maintained by virtue of the priesthood," Joseph learned, "only by persuasion, by long-suffering, by gentleness and meekness, and by love unfeigned . . . ." In the minds of Saints past and present, this crucial letter

reconfigured Liberty Jail as a sacred and hallowed space where Joseph and his fellows, in their extremity, were blessed with one of the richest and most tender of all God's communications to humankind.

By the end of the long letter, Joseph was no longer begging God to avenge the wrongs of the Saints; he was instead counseling the Church to thoughtfully and legally do all that they could to redress the wrongs done them—and then to "stand still," "cheerfully" and humbly waiting upon the Lord: "Therefore, dearly beloved brethren, let us cheerfully do all things that lie in our power; and then may we stand still, with the utmost assurance, to see the salvation of God, and for his arm to be revealed."

Joseph's letter of revelation and instruction, signed by all five prisoners inside Liberty Jail, ends with these lesser-known paragraphs:

"I would further suggest the impropriety of the organization of bands or companies by covenant or oaths [and] by penalties [that is, secret secrecies], but let the time past of our experience and sufferings . . . suffice; and let our covenant be that of the everlasting covenant as is contained in the Holy Writ, and the things that God hath revealed unto us. Pure friendship always becomes weakened the very moment you undertake to make it stronger by penal oaths and secrecy. Your humble servant or servants intend from henceforth to disapprobate every thing that is not in accordance with the fulness of the gospel of Jesus Christ and is not of a bold and frank and an upright nature. They will not

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hold their peace as in times past when they see iniquity beginning to rear its head, [whether] for fear of traitors or the consequences that shall flow [or follow] by reproving those who creep in unawares that they may get something to destroy the flock.

"We believe that the experience of the Saints in times past has been sufficient, [and] that they will from henceforth be always ready to obey the truth without having men's persons in admiration. Because of advantage, it is expedient that we should be aware of such things. And we ought always to be aware of those prejudices (which sometimes so strangely present themselves and are so congenial to human nature) against our neighbors, friends, and brethren of the world who choose to differ with us in opinion and in matters of faith. Our religion is between us and our God. Their religion is between them and their God. There is a tie from God that should be exercised towards those of our faith who walk uprightly, [a tie] which is peculiar to itself. It is without prejudice, but gives scope to the mind—which enables us to conduct ourselves with greater liberality towards all others that are not of our faith than what they exercise towards one another. This principle approximates nearer to the mind of God because it is like God or God-like.

"There is a principle also which we are bound to be exercised with, [one] that is in common with all men [and] governments and [with] laws and regulations in the civil concerns of life. This principle guarantees to all parties, sects, and denominations and classes of religion equal, coherent, and indefeasible rights. They are things that pertain to this life; therefore, all are alike interested. They make [or establish] our responsibilities one towards another in matters of corruptible things, while the former principles do not destroy the latter, but bind us stronger and make [or establish] our responsibilities not only one to another but unto God also.

"Hence, we say that the Constitution of the United States is a glorious standard: it is founded in the wisdom of God. It is a heavenly banner to all those who are privileged with the sweets of its liberty. Like the cooling shades and refreshing waters of a great rock in a thirsty and a weary land,

it is like a great tree under whose branches men from every clime can be shielded from the burning rays of an inclement sun. We brethren are deprived of the protection of this glorious principle by the cruelty of the cruel—by those who only look (for the time being) for pasturage (like the beasts of the field) only to fill themselves and forget that the Mormons as well as the Presbyterians and those of every other class and description have equal rights to partake of the fruit of the great tree of our national liberty; but notwithstanding, we see what we see and we feel what we feel and know what we know. Yet that fruit is no less precious and delicious to our taste.

"We cannot be weaned from the milk, neither can we be drawn from the breast, neither will we deny our religion because of the hand of oppression; but we will hold on until death. We say that God is true, that the Constitution of the United States is true, that the Bible is true, that the Book of Mormon is true, [that] the Book [of] Covenants is true, that Christ is true, that the ministering angels sent forth from God are true, and that we know that we have a house (not made with hands) eternal in the heavens, whose builder and maker is God—a consolation which our oppressors cannot feel when fortune or fate shall lay its iron hand on them as it has on us.

"Now we ask, what is man? Remember, brethren, that time [and] chance happeneth to all men. . . . We subscribe ourselves your sincere friends and brethren in the bonds of the everlasting gospel, prisoners of Jesus Christ for the sake of the gospel and the Saints. We pronounce the blessing of heaven upon the heads of the Saints who seek to serve God with undivided hearts. In the name of Jesus Christ. **AMEN.**"

**NOTE:** In the long quotation from the final section of the letter, spelling, punctuation, and capitalization have been standardized to meet current usage expectations. For direct transcriptions of the letters, search "Letter to the Church and Edward Partridge, 20 March 1839–A" and "Letter to the Church and Edward Partridge, 20 March 1839–B" online at josephsmithpapers. org; see also Doctrine and Covenants 121:1, 41; 123:17.

# The Return of the Prophet to His People

by William G. Hartley

Although church leaders felt the Saints' exodus from Missouri had been accomplished, the Latterday Saints realized some had been left behind. Five prisoners were still in Liberty Jail and six in Richmond's jail, including King Follett, who had just been arrested in April 1839 while trying to leave Missouri.

During a change of venue from Daviess to Boone County on April 16, Joseph Smith and the four others who had been in Liberty Jail were allowed to escape, and they soon found their way to safety in Illinois.<sup>2</sup> Three months later the prisoners who had been at Richmond escaped confinement, except King Follett. By October 1839, King Follett had his trial, and because the charges of robbery were unsubstantiated, he was finally set free.3 Governor Boggs's extermination order had basically succeeded in removing the Saints from northwest Missouri. However, a significant number had taken refuge in St. Louis, a Missouri city that became "an oasis of tolerance" for Mormons.4

#### Joseph Smith's Return

In Quincy, Illinois, on the morning of April 22, Dimick Huntington, at Emma Smith's request, went down to the Mississippi River's edge to inquire about news from the west, and spotted the Prophet. "'My God is it you Bro. Joseph?' He raised his hand and stopped me saying Hush, Hush." Dimick said



Artwork by A. D. Shaw

that Joseph had come by ferryboat about 8:00am and "was drest in an old pair of boots full of holes, pants torn, tucked inside of boots, blue cloak with collar turned up, wide brim black hat, rim sloped down, not been shaved for some time, looked pale & haggard." Dimick asked if he wished to see his father and mother, but Joseph wanted to see Emma and the children first. When he reached the Clevelands', where Emma was staying, Emma recognized him as he dismounted from his horse and met him half way to the gate."5

A Quincy newspaper reporter publicized the arrival of Joseph Smith and his prison companions, concluding with a favorable description of the Church President and Prophet: "We had supposed from the stories and statements we had read of 'Jo Smith' (as he is termed in the papers) to find him a very illiterate, uncouth sort of man; but from a long conversation, we acknowledge an agreeable

disappointment. In conversation, he appears intelligent and candid, and divested of all malicious thought and feeling towards his relentless persecutors."<sup>6</sup>

Joseph Smith quickly finalized plans for a new gathering place for the homeless Saints upriver at Commerce, soon to be renamed Nauvoo. When the Twelve returned from Far West in early May, they rejoiced to see him a free man in Illinois, and the Saints gathered for a general conference on May 4-6 held in a Presbyterian camparound two miles north of Quincy. Joseph Smith presided. "Much business of consequence was accomplished during the day," Elder Wilford Woodruff noted, adding, "It truly gave us great Joy to once more sit in conference with Bro. Joseph."7 Perrigrine Sessions said that Joseph being there "gave us much joy to see his face among the Saints and here the voice of inspiration that flowed from his lips this caused our drooping spirits to revive as we were like sheap with out a shepherd that had been scatered in a cloudy and dark day."8 After Joseph heard the congregation enthusiastically sing the hymn "Zion, City of Our God," Wandle Mace observed that Joseph rose to speak but had difficulty controlling his emotions: "To look upon the Saints who had been driven from their homes, and scattered as they were, among strangers, without homes, robbed



of everything, and to see them under all these trying circumstances assemble to this General Conference from all the region around, and sing of Zion, the city of our God, with so much spirit, showing their love and confidence in the gospel, and the pleasure he felt in meeting with them. He could scarcely refrain from weeping."

1 Liberty Jail prisoners were Joseph Smith, Hyrum Smith, Lyman Wight, Alexander McRae, and Caleb Baldwin. Sidney Rigdon had been released in January. In jail in Richmond were Parley P. Pratt, Norman Shearer, Darwin Chase, Luman Gibbs, Morris Phelps, and King Follett.

2 Alex Baugh, "'We Took a Change of Venue for the State of Illinois': The Gallatin Hearing and the Escape of Joseph Smith and the Mormon Prisoners from Missouri, April 1839," in A City of Refuge, 31–66.

3 Joseph Smith, History of the Church of Jesus Christ of Latter-day Saints, ed. B. H. Roberts, 2nd ed. rev. (Salt Lake City: Deseret Book, 1976 reprint), 4:17.

4 Stanley B. Kimball, "The Saints and St. Louis, 1831–1857: An Oasis of Tolerance and Security," BYU Studies 13 (Summer 1973): 489–519.

5 Cited in Baugh, "'We Took Our Change of Venue,'" 52.

6 See Missouri Republican (St. Louis), May 3, 1839.

7 Scott G. Kenney, ed., Wilford Woodruff Journal, 1833–1898, Typescript, Vol. I, 29 December 1833 to 31 December 1840 (Midvale, UT: Signature Books, 1983) 1:330, entry for May 4, 1839.

8 Donna Toland Smart, Exemplary Elder: The Life and Missionary Diaries of Perrigrine Sessions, 1814–1893 (Provo, UT: BYU Studies and Joseph Fielding Smith Institute for Latter-day Saint History, 2002), 43.

9 Wandle Mace Autobiography, typescript, 31–32, Perry Special Collections.

Artwork by Liz Lemon Swindle.

Dear Friends and Sons of the Pioneers,



Thank you, Sons, for the invitation to submit a short editorial to your outstanding magazine at this Christmas time.

I think that this year I'd like to take my family on a trip to a foreign land.... to "The Past." They do things differently there. The first pioneer Christmas in Utah saw a group of Mormon Pioneers, dressed in their Sunday best, dancing gaily on the rough plank floor of a cabin.

A few wisps of pine and cedar boughs nailed to the rough walls reveal the season. Christmas really fell on Saturday that first year in the valley but was little noticed until Sunday. Everyone then gathered 'round the huge pine tree in the center of the fort where they prayed and sang Christmas carols and finished with a heart-felt rendition of "Come, Come Ye Saints." They were indeed thankful to be safe in the valley. Very few simple handmade gifts for the children were enjoyed; then, in the evening, everyone gathered around a huge sagebrush bonfire and shared a Christmas supper of boiled rabbit stew and bread.

However, this was not the first Christmas in Utah. Seven years before, the trapper, Osborne Russell, celebrated the great day in a northern Utah Valley. He recorded in his journal that he sat down to dinner with a Frenchman, his Indian wife and child, several half-breeds and five lodges of Snake Indians. There was a fire in the center of the floor of the lodge and all sat with legs crossed, Turkish fashion.

Christmas dinner consisted of stewed elk meat, boiled deer meat, boiled flour pudding with a dried fruit sauce made of sour berries and sugar, cakes, and a hot drink. The women and children "washed the dishes" and a shooting match out of doors ended the day's festivities.

Wouldn't it be fun to visit a Christmas of the past? Well, maybe not. I'm dreaming and wondering if we really appreciate our holiday celebration as much as they did in a much simpler day and time.

Merry Christmas
from the Daughters of Utah Pioneers,

Maurine P. Smith, International President

Maurine has been International President since 2011, and was re-elected to her third term at the D.U.P.'s Convention in Layton, Utah, in October 2015. The D.U.P. has about 20,000 members throughout the United States and in several foreign countries.



## TIMES AND SEASONS.

"TRUTH WILL PREVAIL."

Vol. 2. No. 6.] CITY OF NAUVOO, ILLINOIS, JAN. 15, 1841. [Whole No. 18.

### ECCLESIASTICAL.

ORIGINAL.

#### A PROCLAMATION. TO THE SAINTS SCATTERED ABROAD;

GREETING:

Beloved Brethren:-

The relationship which we sustain to the Church of Jesus Christ of Latter Day Saints, renders it necessary that we should make known from time to time, the circumstances, situation, and prospects of the those objects, calculated to further their bly, have come forth to our assistance, present and everlasting happiness.

on the progress of the great work of us all the blessings of civil, political, the "last days;" for not only has it and religious liberty, by granting us, spread through the length and breadth under date of Dec. 16, 1840, one of of this vast continent; but on the conti- the most liberal charters, with the nent of Europe, and on the Islands of the sea, it is spreading in a manner en-

we consider, that but a short time has these charters, (that for the "City of elapsed, since we were unmercifully driven from the State of Missouri, afin their various, and horrid forms .-Then our overthrow, to many, seemed great civilized republic-'tis all we ever inevitable, while the enemies of truth claimed. What a contrast does the triumphed over us, and by their cruel proceedings of the legis'ature of this reproaches endeavored to aggravate State present, when compared with Hosts was with us, the God of Jacob ousy, and superstition, prevailed to such was our refuge!" and we were deliv- an extent, as to deny us our liberty and ered from the hands of bloody and de- our sacred rahts-illinois has set a gloceitful men; and in the State of Illinois rious example, to the whole United we found an asylum, and were kindly States and to the world at large, and welcomed by persons worthy the chard has nobly carried out the principles of acters of FREEMEN. It would be im- her constitution, and the constitution of possible to enumerate all those who in these United States, and while she reour time of deep distress, nobly came quires of us implicit obedience to the forward to our relief, and like the good laws, (which we hope ever to see ob-Samaritan poured oil into our wounds, served) she affords us the protection of and contributed liberally to our neces- law-the security of life, liberty, and sities, as the citizens of Quincy en masse the peaceable pursuit of happiness. and the people of Illinois, generally, The name of our city (Nauvoo,) is of seemed to emulate each other in this Hebrew origin, and signifies a beauti-

labor of love. We would, however, make honorable mention of Governor -Carlin, Judge Young, General Leech, Judge Ralston, Rev. Mr. Young, Col. Henry, N. Bushnell, John Wood, I. N. Morris, S. M. Bartlett, Samuel Holmes, and J. T. Holmes, Esquires, who will long be remembered by a grateful community for their philanthropy to a suffering people, and whose kindness on that occasion is indelibly engraven on the tablet of our hearts, in golden letters of love.

We would, likewise, make mention of church, and give such instructions as the Legislature of this State, who, may be necessary for the well being without respect of parties, without reof the Saints, and for the promotion of luctance, freely, openly, boldly, and noowned us as citizens and friends, and We have to congratulate the Saints took us by the hand, and extended to most plenary powers, ever conferred by a legislative assembly on free cititirely unprecedented in the annals of zens, for the "City of Nauvoo," the This appears the more pleasing when of the City of Nauvoo." The first of Nauvoo,") secures to us in all time to come, irrevocably, all those great blester suffering cruelties and persecutions sings of civil liberty, which of right appertain to all the free citizens of a our sufferings. But "the Lord of those of Missouri, whose bigotry, jeal-

On January 15, 1841, the First Presidency published a proclamation to the Saints "scattered abroad" explaining and expressing appreciation for the Nauvoo Charter. The proclamation also expressed gratitude to the honorable citizens of Illinois, particularly those from the city of Quincy, the good Samaritan, poured oil into our wounds, and contributed liberally to our

# where art thou?

And where is the pavilion that covereth thy hiding place? How long shall thy hand be stayed, and thine eye,

yea thy pure eye,

behold from the eternal heavens the wrongs of thy people and of thy servants,

and thine ear be penetrated with their cries?

Yea, O Lord, how long shall they suffer these wrongs and unlawful oppressions,

before thine heart shall be softened toward them, and thy bowels be moved with compassion toward them?

Remember thy suffering saints, O our God . . . .

peace be unto thy soul;
thine adversity and thine afflictions shall be
but a small moment;
And then, if thou endure it well,
God shall exalt thee on high;
thou shalt triumph over all thy foes.

Thou are not yet as Job . . . .

Know thou, my son, that all these things shall give thee experience, and shall be for thy good.

The Son of Man hath descended below them all. Art thou greater than he?

-Doctrine and Covenants 121: 1-3, 6-8, 10; 122: 7-8